PROCEEDINGS OF COUNCIL OF GOVERNOR OF FORT ST. GEORGE

VOL.-XXXV 1907

MADRAS

1908

PROCEEDINGS

OF THE

Council of the Governor of Fort St. George

ASSEMBLED

FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS

FOR THE YEAR

1907.

WITH INDEX.

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SECRETARIAT FORT ST. GEORGE 13-3-

Proceedings of a Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Acts of Parliament, 24 and 25 Vic., cap. 67, and 55 and 56 Vic., cap. 14.

The Council met at the Council Chamber, Fort St. George, at noon on Tuesday the 22nd day of January 1907.

PRESENT:

His Excellency the Hon'ble Sir ARTHUR LAWLEY, K.C.M.G., G.C.I.E., Governor of Madras—*Presiding*.
The Hon'ble Mr. G. S. FORBES, C.S.I.
The Hon'ble Mr. M. HAMMICK, C.S.I., C.I.E.
The Hon'ble Mr. J. N. ATKINSON.
The Hon'ble Mr. C. J. WEIR.
The Hon'ble Mr. A. G. CARDEW.
The Hon'ble K. R. GURUSWAMI AIYAR Avargal.
The Hon'ble M. KRISHNAN NAYAR Avargal.
The Hon'ble B. NARASIMHESWARA SARMA Garu.
The Hon'ble Mr. A. E. CASTLESTUART STUART.
The Hon'ble P. S. SIVASWAMI AIYAR Avargal.
The Hon'ble Raja VASUDEVA RAJA Valia Nambidi of Kollengode.
The Hon'ble Mr. V. G. LYNN.
The Hon'ble Mr. J. TWIGG.
The Hon'ble Diwan Bahadur R. V. SRINIVASA AIYAR Avargal, C.I.E.
The Hon'ble Mr. T. T. LOGAN.
The Hon'ble Sir V. BHASHYAM AIYANGAR, Diwan Bahadur, *Kt.*, C.I.E. (Officiating Advocate-General).
The Hon'ble Sir V. C. DESIKACHARIYAR, *Kt.*
The Hon'ble Mr. F. J. WILSON, M.I.C.E.
The Hon'ble Mr. H. BRADLEY, C.S.I.
The Hon'ble Raja V. VIRABHADRA RAZU Bahadur, Zamindar of Kurupam.

ADDITIONAL MEMBERS.

The Secretary reported that the following gentlemen had taken their seats as Additional Members of Council :—

The Hon'ble Mr. J. TWIGG.
The Hon'ble Mr. H. BRADLEY, C.S.I.
The Hon'ble Raja V. VIRABHADRA RAZU Bahadur, Zamindar of Kurupam.

QUESTIONS AND ANSWERS.

The Hon'ble P. S. SIVASWAMI AIYAR :—

I. (*a*) Is it a fact that for over a century the Vadagarai channel in the Madura taluq used to take off directly from the Vaigai river at the old Peranai dam and irrigate directly or indirectly wet lands in the villages of Sholavandan, Sholakurichi, Pettai, Erumballi, Karuppattai, Vilampatti, etc., and that this state of things continued till the construction of the Periyár main channel?

(*b*) Is it a fact that about 2,000 acres in these villages were fed directly from the Vadagarai channel, about 2,650 acres by the Vadagarai tank which is fed by the Vadagarai channel, and about 4,000 acres by the surplus in Calingula channel?

(*c*) Is it a fact that since the construction of the Periyár main channel the Vadagarai channel is not directly fed from the Vaigai but is supplied by a branch from the Periyár main channel at a distance of about 4 furlongs from the old Peranai dam; and that in consequence the Vadagarai channel has ceased to derive the usual benefit from the rain and spring waters flowing in the Vaigai?

(*d*) Is it a fact that owing to the late admission of water into the Periyár channel during the summer months and the loss of the customary supply of rain and spring water the kodai cultivation in the villages referred to has been either considerably delayed or greatly affected?

(e) Is it a fact that as early as the year 1900 the ryots of the above villages appealed to the Executive Engineer and the Collector of Madura and the Government to connect the Vadagarai channel with the Vaigai or to take such other steps as may secure to the Vadagarai channel the benefit of the rain and spring waters of the Vaigai ?

(f) Will the Government be pleased to order an estimate to be made of the cost of connecting the Vadagarai channel directly with the Vaigai or making arrangements for the use of the existing regulator with iron uprights at the head of the branch now feeding the Vadagarai channel so that the ryots may have the benefit of the rain and spring water of the Vaigai during the summer months when the Periyár head works are closed ?

(g) In view of the fact that the Vadagarai channel has been directly fed by the Vaigai for over a century and that the lands down the Periyár main channel have only recently been allowed the use of the water, will the Government be pleased to recognise the prior claims of the lands dependent upon the Vadagarai channel by granting the request of the ryots of the above villages ?

The Hon'ble Mr. Wilson :—

I. (a) & (b) The Government are not prepared to vouch for the accuracy of the facts as stated in clauses (a) and (b) of the question.

(c) The Vadagarai channel is supplied by a sluice in the Periyár main channel bank, and the general condition of the lands under the channel has been much improved thereby.

(d) In the opinion of Government, it is not a fact that the kodai cultivation has been either considerably delayed or greatly affected by the change in method of supply. On the contrary, the general condition of the lands under the channel has been much improved thereby.

(e) The answer is in the affirmative.

(f) & (g) It is not practicable to connect the channel directly with the river, but the question of allowing into the channel the rain and spring waters of the Vaigai during the closure of the Periyár head works will be considered when the regulating works constructed at the Peranai anicut have been in operation for a sufficiently long time to effect a reduction in the excessive silting at the head of the Periyár main channel.

The Hon'ble Raja V. Virabhadra Razu Bahadur :—

II. (a) Have Government received a memorial from the tax-payers of Waltair and some other portions of the Municipality of Vizagapatam praying for supply of water from the Vizagapatam water-works scheme, and proposing several projects by which this may be effected ?

(b) Are Government aware that the memorialists have been paying water-tax at half rates to the Municipality for more than eight years without deriving any corresponding benefit whatever in the shape of water-supply ?

(c) Will Government be pleased to state what steps they have taken or propose to take for complying with the request of the memorialists ?

(d) Will Government be pleased to order a suspension of the abovementioned tax pending supply of water to all the properties on which it has now been levied ?

The Hon'ble Mr. Bradley :—

II. (a) The Government have received a memorial on the subject from certain residents of Waltair.

(b) The answer is in the affirmative.

(c) The question of investigating the possibility of a supply of water to Waltair has, on the recommendation of the Municipal Council of Vizagapatam, been referred to the Sanitary Engineer for investigation.

(d) The Government are not prepared to order a suspension of the tax referred to.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

III. (a) Will Government be pleased to consider the desirability of discontinuing the present practice of sending minors under Court of Wards once a year to Ootacamund?

(b) If, in the opinion of Government, a periodical change from Madras is indispensable for the minors, will Government be pleased to consider the desirability of sending them to Coimbatore where their stay can be turned to very useful account by frequent contact with the Agricultural College and its Experimental Farms?

(c) Will Government be pleased to arrange with the Inspector of Schools, Madras Circle, or some other Government Educational officer of equal rank to inspect the Madras Newington school periodically as is done in the case of schools under the Grant-in-Aid Code and report on the progress made by the Court of Wards' minors in their studies and formation of character?

The Hon'ble Mr. Cardew :—

III. (a) & (b) The Government do not propose to lay down any fixed rule regarding the locality where the minors shall spend their annual vacation. When the new Agricultural Research Institute and Farm at Coimbatore are in working order, the question of the vacation or part of it being sometimes spent there will be considered.

(c) The question of adding the Director of Public Instruction to the Committee of Visitors of Newington will be taken into consideration.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

IV. (a) Is it a fact that the Khonds and Savaras of the hills of the Ganjám and Vizagapatam Agency have very few shandies at convenient centres where they can expose the agricultural produce of their hills for sale, and that as a consequence they barter the same with the Sowcar for articles of food such as salt or dry fish of little or no value?

(b) Will Government be pleased to direct the District Boards of Ganjám and Vizagapatam to make special provision of funds in their budgets for the purpose of opening and encouraging shandies at convenient centres so as to afford to the hill cultivators an easy and profitable market for the produce of their labour?

The Hon'ble Mr. Bradley :—

IV. (a) The Government have no specific information on the subject but will refer the matter to the Government Agents for report. They believe that a sufficient number of markets or "hâts" for hill produce exist at convenient centres in the hill tracts of Vizagapatam, and it is doubtful whether, if endeavours were made to open additional markets, they would be resorted to by the hillmen.

(b) The Madras Local Boards Act V of 1884 was only introduced into certain portions of the hill tracts of Vizagapatam on 1st April 1905. It does not extend to the Savara or Kuttiya Khond Hills of the Jeypur zamindari. In the Ganjám district, the Act is in force only in 122 low country villages of the Parlákimedi Agency.

The Hon'ble Raja VASUDEVA RAJA Valia Nambidi of Kollengode :—

V. (a) Has the attention of Government been drawn to the fact that, in this Presidency, Deputy Collectors drawing Rs. 500 and less, rank as second-class officers in respect of travelling allowances?

(b) Do officers of other departments of corresponding rank, such as Superintendents of Post offices, Assistant Superintendents in the Telegraph department and Assistant Superintendents of Police, rank as first-class officers even when their pay does not exceed Rs. 500?

(c) Is it a fact that, in Bengal and in the United Provinces, Deputy Magistrates and Collectors in charge of sub-divisions rank as first-class officers?

(d) Will Government be pleased to move the Government of India to grant to the members of the Provincial Service in charge of sub-divisions in this Presidency the same concession as has been granted in the two other provinces mentioned above?

(e) In the case of Inspectors of Salt and Abkári Revenue who are in independent charge of circles, will Government be pleased to recommend the grant of a similar concession?

The Hon'ble Mr. Cardew :—

V. (*a*), (*b*) & (*c*) The Honourable Member is referred to article 1002 and Appendix No. 18, Civil Service Regulations.

(*d*) & (*e*) The Government are not prepared to address the Government of India on the subject.

The Hon'ble Raja VASUDEVA RAJA Valia Nambidi of Kollengode :—

VI. (*a*) Is it a fact that Deputy Tahsildars in charge of sub-divisions of taluqs have to put in a touring of ten days every month and that they draw no travelling allowance for their touring?

(*b*) Will Government be pleased to consider the advisability of granting to Deputy Tahsildars the same rate of travelling allowance, namely, one rupee per diem, as is now granted to Tahsildars?

The Hon'ble Mr. Cardew :—

VI. The Honourable Member is referred to the answer to Question No. XXI put by the Hon'ble M. Krishnan Nayar at the Legislative Council Meeting held on 21st March 1905.

The Hon'ble Raja VASUDEVA RAJA Valia Nambidi of Kollengode :—

VII. (*a*) Has the attention of Government been drawn to the leading article in the *Hindu* of the 17th December 1906 containing a proposal to start a Land-bank for the purpose mainly of financing Zamindars?

(*b*) Will Government be pleased to cause an enquiry to be made regarding the practicability of the suggestion and to consider if a bank like that, when organized, can be given concessions such as those suggested by the writer of the article?

The Hon'ble Mr. Cardew :—

VII. The Government have now perused the article referred to. They are not prepared at present to institute the enquiry suggested.

The Hon'ble Raja VASUDEVA RAJA Valia Nambidi of Kollengode :—

VIII. (*a*) Is it a fact that the tables of prices of products, the cost of cultivating paddy, planting, protecting and maintaining trees and plants, the preparation of which is contemplated under section 15 of the Madras Act No. I of 1900 (Malabar Tenants' Improvements Act), have not been prepared and published till now?

(*b*) Will Government be pleased to cause such tables to be now prepared for the different taluqs in Malabar after due enquiry?

The Hon'ble Mr. Cardew :—

VIII. (*a*) The answer is in the affirmative.

(*b*) In 1900 the Government considered the question of publishing tables under section 15 of the Act and decided that their publication should be deferred until experience had been gained of the working of the Act. The Board of Revenue will be asked to report whether the preparation of the tables should now be taken in hand.

The Hon'ble Raja VASUDEVA RAJA Valia Nambidi of Kollengode :—

IX. (*a*) Is it a fact that the Government assessment on lands in Malabar that are held under kanam demise by tenants who have agreed to pay the assessment themselves is recovered from the janmis?

(*b*) Will Government be pleased to enquire of the Collector of Malabar whether difficulty is experienced by him as the Agent of the Court of Wards in respect to the assessment due from the tenants of the estates under his management?

(*c*) Will Government be pleased to consider the advisability of giving janmis power to realize those dues from the tenants by summary process?

The Hon'ble Mr. Cardew :—

IX. (*a*) The Honourable Member's attention is invited to the provisions of sections 13, 14 and 15 of Madras Act III of 1896. Under section 14 it is open to janmis to apply to the Collector for the joint registration of their tenants and after such registration arrears of revenue are recoverable from the tenant. The Government cannot take cognizance of any private arrangement between janmis and tenants who have neglected to take advantage of this provision of law.

(*b*) The Government see no reason to make the enquiry.

(*c*) The Government are not prepared to undertake legislation in the particular direction suggested.

The Hon'ble Raja VASUDEVA RAJA Valia Nambidi of Kollengode :—

X. (*a*) Has the attention of Government been drawn to a resolution passed at the last Madras Educational Conference asking that an officer of the Department of Public Instruction be appointed to consult with representative educationists as to the possibility of drawing up a Provident scheme for teachers working in schools under private management ?

(*b*) Will Government be pleased to consider the proposal favourably ?

The Hon'ble Mr. Bradley :—

X. (*a*) The Government have now perused the resolution referred to as reported in the *Madras Mail.*

(*b*) No formal request has been received by Government on the subject of the resolution in question.

The Hon'ble Raja VASUDEVA RAJA Valia Nambidi of Kollengode :—

XI. (*a*) Is it true that the Collector of Malabar has recently issued an order to the effect that in no case shall a vakalath presented to a village adhikari for registration be so registered unless the party presents a *written* application to the adhikari soliciting registration ?

(*b*) Is the above order in conformity with the Village Officers' Manual ? If so, will Government be pleased to consider the propriety of relaxing the rule ?

(*c*) Will Government be pleased to issue instructions authorizing assistant adhikaris in the Malabar district to attest the execution of vakalaths ?

The Hon'ble Mr. Bradley :—

XI. (*a*) The Government have no information.

(*b*) The order appears to be in accordance with the Village Officers' Manual. The Government see no sufficient reason to alter it.

(*c*) The matter will be referred to the Collector of Malabar for report.

The Hon'ble P. S. SIVASWAMI AIYAR :—

XII. (*a*) Is it a fact that some time ago the Secretary to the Board of Revenue (Separate Revenue) issued a circular order whereby the right of office subordinates to present petitions to him was disallowed on the ground that he could not waste his time in reading their petitions, and that any representations which they may have to make should be made in person ?

(*b*) If this be true, will the Government be pleased to direct the revocation of the order of the Secretary ?

The Hon'ble Mr. Cardew :—

XII. No such circular order as is described in the Honourable Member's question has been issued. The order apparently referred to was an endorsement on a petition of an individual clerk asking for promotion and was in the following terms :—*If clerks have anything to say to Secretary they can come and see him. I won't have time wasted on petition writing.* The Government see no reason to direct the revocation of this endorsement.

The Hon'ble B. NARASIMHESWARA SARMA :—

XIII. (*a*) Will the Government be pleased to place on the table the report from the Collector of Vizagapatam proposed to be called for in answer to my Question No. XLV (*a*) to (*d*) at the Council meeting held on 6th April 1906 if any report has been received, and the papers relating to the investigation of the project for impounding the Varaha river at Koppaka and the enlargement of the Kondakarla áva?

(*b*) Will the Government be pleased to take steps to place the irrigation of the Yellamanchili taluq, Vizagapatam district, on a satisfactory footing?

The Hon'ble Mr. Wilson :—

XIII. (*a*) G.O., No. 895, Revenue, dated 13th September 1906, containing the Collector's report referred to in the first part of the question has already been published and will now be placed on the Council table. The Government do not, however, consider that any useful purpose will be achieved by placing on the table the papers connected with the proposal to enlarge the Kondakarla áva. There are no papers at the disposal of Government regarding the scheme for impounding the Varaha river at or near the Koppaka anicut, but it is understood that the benefits likely to be received from such impounding are incommensurate with the probable cost of the work.

(*b*) The works recently carried out or still in progress for the improvement of the irrigation of Yellamanchili taluq have been detailed in the reply to Question No. XLV by the Honourable Member at the meeting of the Council held on 6th April 1906. Government propose to see the effect of these works before considering further expenditure.

The Hon'ble B. NARASIMHESWARA SARMA :—

XIV. Will the Government be pleased—

(*a*) to place on the table their proposals submitted to the Government of India for the promotion of technical and industrial education in this Presidency and the orders of the Government of India on the subject?

(*b*) to state what further measures they intend to adopt to provide facilities for the imparting of such education in this Presidency?

(*c*) to establish a superior technical college in the province?

The Hon'ble Mr. Bradley :—

XIV. (*a*) The Government are unable to lay on the table the correspondence with the Government of India on the subject.

(*b*) & (*c*) With regard to practical instruction in industries and trades, the Government have recently appointed a special officer as Director of Technical and Industrial Inquiries whose duty it will be to introduce improved methods of technique in promising industries and establish institutions in which such methods will be explained and instruction imparted therein. But such practical instruction is not technical education in the proper sense which is confined to instruction in the principles of science and art applicable to industries and instruction also in the application of special branches of science and art to specific industries and employments. It thus presupposes a preliminary acquaintance with Mathematics, Physics, Chemistry or other subject of theoretical study which may be applicable to the industry in which technical instruction is sought. There are at present in the Presidency 54 technical schools or schools with a technical class or classes under the Educational department, which are aided or maintained by Government who allot 180 scholarships of different grades for pupils attending these schools. There are also six Government scholarships for post-graduate study.

For technical education of a higher description there are the Engineering College, the College of Agriculture and the School of Arts, all of which institutions are shortly to be reorganized. The Government do not propose at present to establish in the Presidency any other superior technical college, there being little actual demand for superior technical education. The attention of the Honourable Member is also invited to G.Os., No. 46, dated 27th January 1906, and No. 630, dated 26th September 1906—both published in the *Fort St. George Gazette*, regarding the technical scholarships of £150 a year offered by the Government to young men who desire to avail themselves in Europe of technical education in industries. The very small number of qualified candidates who have applied for these scholarships is disappointing.

The Hon'ble B. Narasimheswara Sarma :—

XV. (*a*) Has the attention of the Government been invited to the resolution No. 4 passed at the 15th Kistna-Guntúr Conference held at Nuzvid urging the desirability of restoring to Masulipatam and Ellore the franchise of electing three-fourths of the members of their Municipal Councils and the privilege of electing their chairman and giving to Bezwada a larger proportion of elected councillors and the privilege of electing its chairman?

(*b*) Will the Government be pleased to consider the request made at the Conference?

The Hon'ble Mr. Bradley :—

XV. (*a*) The Government have now perused the resolution as reported in the *Hindu* of June 12th, 1906.

(*b*) The Government will consider in due course any proposals that may be submitted to them by the Municipal Councils.

The Hon'ble B. Narasimheswara Sarma :—

XVI. (*a*) Have the ryots in Kistna and Guntúr districts been utilizing for a long time free of charge river water to flood saline soils after the crops are cut?

(*b*) Have the said ryots been charged water-rate recently for the use of such water, and will the Government be pleased to remit the same?

The Hon'ble Mr. Cardew :—

XVI. The Honourable Member's attention is invited to Rule IV of the Rules regulating the levy of water-rate on ryotwari dry land in portions of the Gódávari and Kistna districts, which form Appendix I-C to Board's Standing Order No. 4. The Government have no further information on the subject.

The Hon'ble M. Krishnan Nayar :—

XVII. (*a*) Has the attention of the Government been called to a letter under the heading of "An illegal exaction in Malabar" published in the *Indian Patriot* of the 28th September 1906?

(*b*) Are the allegations made therein with reference to the improper collection of toll at Manjéri true?

(*c*) Will the Government be pleased to take steps to prevent the collection of such toll in future?

The Hon'ble Mr. Bradley :—

XVII. The Government have now perused the letter in question. Under G.O., No. 435 L., dated 3rd April 1903, the establishment at Manjéri of "a new toll with four gates" was sanctioned so as to catch traffic coming to Manjéri by all four roads. Provision was made for the payment of a toll at any one of the four gates clearing the animal or vehicle concerned at the other gates within the same period of 24 hours calculated from sunrise to sunrise—*vide* notification published on page 127 of the *Fort St. George Gazette*, Part I-A, dated 7th April 1903. In sanctioning these four gates the Government

directed that arrangements should be made for the exemption from payment of tolls of purely local carriages, *i.e.*, carriages owned by persons residing in and within a radius of three miles from the town of Manjéri.

The attention of the President, District Board, Malabar, will be drawn to the letter referred to and he will no doubt correct any irregularity that may have occurred.

The Hon'ble M. Krishnan Nayar :—

XVIII. (*a*) Has the attention of the Government been drawn to an article in the *Hindu* of the 14th December 1906 about the conduct of the Sub-Magistrate of Tuticorin who is alleged to have tried and convicted one Murugaya for certain offences referred to in the article without giving the accused an opportunity of defending himself and adducing his evidence ?

(*b*) Are the facts mentioned in the article true ?

(*c*) Will the Government be pleased to take steps to prevent the occurrence of such acts in future ?

The Hon'ble Mr. Bradley :—

XVIII. The Government have now perused the article; but they see no sufficient reason to call for a report as to the truth of the allegations made in the newspaper quoted. The appellate and revisional courts are open to the person who was convicted, if he has any ground of complaint regarding the procedure adopted.

The Hon'ble M. Krishnan Nayar :—

XIX. Adverting to my Question No. XVII asked at the meeting of this Council on the 13th of November 1906, and its answer by Government, will the Government be pleased to state whether a resurvey of the Parappanangádi amsam of the Ernad taluq in the Malabar district has been ordered ?

The Hon'ble Mr. Cardew :—

XIX. The Government have not ordered a resurvey of the amsam mentioned.

The Hon'ble M. Krishnan Nayar :—

XX. (*a*) Has the attention of the Government been drawn to an article under the heading of "Season and Crop" published in the *Hindu* of the 3rd November 1906 ?

(*b*) Have the District authorities offered explanation for the rise in the price of food-grains and submitted reports on the state of the people and the condition of their districts during the last year ?

(*c*) Will the Government be pleased to lay such reports on the table ?

(*d*) Do the Government think of revising the existing normal, warning and scarcity rates, and will the Government be pleased to state the reasons which induce them to do so ?

The Hon'ble Mr. Cardew :—

XX. (*a*) The Government have now perused the article referred to.

(*b*) & (*c*) A report was received from the Board of Revenue on the state of the season in the Coimbatore district, and a copy of it will now be laid on the table.

(*d*) The revision of the "normal", "warning" and "scarcity" rates of grain prices is now under consideration because the existing rates are fixed on data commencing over thirty years ago and no longer correctly representing existing conditions.

The Hon'ble M. KRISHNAN NAYAR :—

XXI. (*a*) Has the attention of Government been drawn to an editorial article that was published in the *Indian Patriot* of the 15th December 1906 and to a letter that was published in the same newspaper in its issue of the 24th December 1906 under the heading "Office hours of attendance"?

(*b*) Is it a fact that in many of the Government offices in Madras and in the mufassal clerks are often obliged to work for about 8 or 9 hours a day?

(*c*) Will Government be pleased to increase the number of clerks or take any other steps that may seem necessary to Government?

The Hon'ble Mr. Bradley :—

XXI. The Government have now perused the article and letter referred to. No special inquiries have been made as to the number of hours the clerical establishments have to work, but it is no doubt true that these may have to attend over the usual office hours when the exigencies of the service require it. The Government are always prepared to consider favourably applications for additional establishment when it is shown that an office is undermanned, and funds are forthcoming to strengthen it.

The Hon'ble M. KRISHNAN NAYAR :—

XXII. (*a*) Has the attention of Government been drawn to a lecture on "The Leper Question in India" delivered at Calicut by Mr. C. Bailey and reported in the *Madras Mail* of the 7th December 1906?

(*b*) Will the Government be pleased to take steps to bring the Lepers Act into force in this Presidency?

The Hon'ble Mr. Bradley :—

XXII. (*a*) The attention of Government has now been drawn to the lecture as reported in the *Madras Mail.*

(*b*) The introduction of the Lepers Act has been frequently considered by Government, but they are not satisfied that at present its extension to this Presidency is called for.

The Hon'ble M. KRISHNAN NAYAR :—

XXIII. (*a*) Have the Government received a memorial addressed to the Secretary of State for India by Meethangatt Kunnummal Kunhunni *alias* Valiya Nambiyar of Pánúr, Kóttayam taluq, Malabar district, about a claim to a malikhana allowance due to him from Government?

(*b*) Will the Government be pleased to favourably endorse the memorial?

The Hon'ble Mr. Cardew :—

XXIII. The memorial has been received and has already been transmitted to the Government of India.

The Hon'ble M. KRISHNAN NAYAR :—

XXIV. Adverting to Question No. LIV asked at the meeting of this Council on the 13th November 1906 and its answer by Government, will the Government be pleased to state whether the Superintendent of Stationery, Madras, has forwarded to Government the original petitions of the clerks of the Madras Stationery Office referred to in the answer and what consideration the Government have bestowed on these petitions?

The Hon'ble Mr. Bradley :—

XXIV. The petitions referred to have not as yet been forwarded to the Government.

The Hon'ble M. KRISHNAN NAYAR :—

XXV. (*a*) Have the Government recently received a memorial from the residents of McGasken Street, Appiah Muthu Street, Chembadapilliar Street, Mint Street (entrance from Memorial Hall), Wall-Tax Road up to Post Office, John

Pereira's Road, protesting against the proposal of the Madras Railway Company to acquire that locality for purposes of erecting the Company's General offices ?

(*b*) Will the Government be pleased to consider the memorial favourably ?

The Hon'ble Mr. Wilson :—

XXV. (*a*) Government have recently received the memorial referred to.

(*b*) A similar petition from the occupants of the houses on the land in question was considered by Government before it was decided to acquire the land. No new arguments have been put forward and Government regret that they are unable to consider the memorial favourably.

The Hon'ble M. Krishnan Nayar :—

XXVI. (*a*) Have the Government received a memorial from the merchants, dhonie-owners and other inhabitants of Point Calimere and the neighbouring places in the Tanjore district, praying for the adoption of the Point Calimere-Jaffna route for Indo-Ceylon traffic of all descriptions in preference to the Rámésvaram-Mannar route ?

(*b*) Will the Government be pleased to consider the memorial favourably ?

The Hon'ble Mr. Wilson :—

XXVI. (*a*) The answer is in the affirmative.

(*b*) The memorial has not yet received consideration.

The Hon'ble M. Krishnan Nayar :—

XXVII. (*a*) Is it a fact that the annual income derived from the Copying department of the Civil Courts in the Presidency is much in excess of its annual expenditure, thus leaving a large surplus every year ?

(*b*) Will the Government be pleased, after consultation with the High Court, either to reduce the charges for granting copies to parties or to increase the pay or remuneration of the officers employed in the Copying department ?

The Hon'ble Mr. Bradley :—

XXVII. (*a*) From the latest figures available it appears that the income from the Copying department of the Civil Courts is not much in excess of its expenditure.

(*b*) The scale of fees for copies is laid down by the High Court under rules made under section 652 of the Code of Civil Procedure. Their reduction is a matter for the High Court.

The Hon'ble K. R. Guruswami Aiyar :—

XXVIII. (*a*) Has Government's attention been drawn to the complaint in the article headed "Special Test Examinations" in the *Madras Mail* of the 6th December and to similar complaints in previous papers ?

(*b*) In view of the frequency of such complaints regarding the setting and valuation of papers, the minima of marks insisted, and other matters, will Government be pleased to undertake a revision of the regulations on the subject and call for suggestions for the purpose from the officers concerned ?

The Hon'ble Mr. Bradley :—

XXVIII. The Government have now perused the article referred to in the *Madras Mail* of the 6th December 1906. The Government have no reason to believe that the complaints are well founded. In another connection, however, the Government have under consideration the scope of the Special Test Examinations.

The Hon'ble K. R. Guruswami Aiyar :—

XXIX. (*a*) Have Government received a memorial from the merchants, dhonie-owners and other inhabitants of Point Calimere, Védáranniyam and Tópputturai in the Tanjore district protesting against the proposal to connect India and Ceylon by the Pámban-Mannar route and requesting *port improvement, railway connection and other facilities* for reviving the Point Calimere-Jaffna route ?

(*b*) Have Government received any proposals from the South Indian Railway Company or any of its officers or had any correspondence with the Ceylon Government or the India Government on the subject of Indo-Ceylon communications?

(*c*) Will Government be pleased to lay on the table the papers relating to such proposals and correspondence, or make a statement on the subject indicating the position of affairs, if not their view thereon?

(*d*) In view of the representations from Tuticorin and Point Calimere and the vast interests and complex problems involved, will Government be pleased to appoint a Committee to investigate and report on the whole question of Indo-Ceylon communications?

The Hon'ble Mr. Wilson :—

XXIX. (*a*) & (*b*) The answer is in the affirmative.
(*c*) Government are not in a position at present to lay any papers on the table or to make any statement on the subject.
(*d*) Government do not consider it necessary to appoint such a Committee at the present time.

The Hon'ble K. R. Guruswami Aiyar :—

XXX. With reference to the answer of Government to my question at the last meeting of this Council on the treatment of Indian coolies in Natal and their overcrowding on their return voyages, are Government in receipt of the further information then awaited and will they now be pleased to state what action is intended to be taken in the matter?

The Hon'ble Mr. Bradley :—

XXX. The information referred to was only received yesterday. The matter has not yet been considered by Government.

The Hon'ble K. R. Guruswami Aiyar :—

XXXI. (*a*) Have Government received a memorial from the inhabitants of Nángunéri taluq, Tinnevelly district, requesting that the additional District Munsif's Court of Tinnevelly may be given territorial jurisdiction and located at Nángunéri?

(*b*) Will Government be pleased to consider the desirability of giving effect to the proposal before the question of housing the two District Munsifs' Courts of Tinnevelly is settled finally?

The Hon'ble Mr. Bradley :—

XXXI. A memorial purporting to come from the inhabitants of the Nángunéri taluq was received on the 17th instant. A similar memorial was received by the High Court on the 16th instant, which will receive the consideration of the Honourable the Judges in due course.

The Hon'ble K. R. Guruswami Aiyar :—

XXXII. (*a*) Is it a fact that in the Kulitalai taluq of the Trichinopoly district, cattle are impounded too often and too numerously at the instance of Forest officers and Public Works subordinates, and that the owners of cattle are mulcted unduly heavily in pound fines and are subjected to criminal prosecutions on charges of attempts at rescue?

(*b*) Will the Government be pleased to call for a report from the Revenue department of the district on the subject?

The Hon'ble Mr. Cardew :—

XXXII. The Government have received no complaint on the subject and do not at present propose to call for any report.

The Hon'ble B. Narasimheswara Sarma :—

XXXIII. (*a*) Has the attention of the Government been invited to the article in the *Hindu* of the 21st December 1906 and the letters published therein complaining of the treatment accorded by the District and Sessions Judge of Kurnool to the members of the bar?

(*b*) Will the Government be pleased to enquire as to whether the allegations made therein are true and, if true, take steps to prevent the recurrence of such incidents in the future?

The Hon'ble Mr. Bradley :—

XXXIII. (*a*) The answer is in the affirmative.
(*b*) The matter is under inquiry.

The Hon'ble B. Narasimheswara Sarma :—

XXXIV. (*a*) Have the Government received any memorial from the karnam of Butchirajupalem, Vizagapatam taluq, complaining that his service inam land which has been lying waste owing to the saline character of the soil and from which not more than Rs. 10 net has been derived, has been assessed at Rs. 111-5-10 on the ground that the lowest rate of assessment is As. 8 per acre; and are the facts stated therein correct?

(*b*) Is it a fact that the lowest rate adopted by the Inam Commissioner is As. 8?

The Hon'ble Mr. Cardew :—

XXXIV. (*a*) The memorial referred to has been received and is now under the consideration of Government.
(*b*) The lowest dry rate in the Vizagapatam district is As. 8 per acre.

The Hon'ble B. Narasimheswara Sarma :—

XXXV. (*a*) Have the residents Mr. A. Manicka Chetti and 125 others of McGasken Street, Appiah Muthu Street, Chembadapilliar Street, Mint Street (entrance from Memorial Hall), Wall-Tax Road up to Post Office and John Pereira's Road memorialised the Government protesting against the removal of 200 houses occupied by about 3,000 persons for the construction of the Madras Railway office buildings?

(*b*) Is it a fact that the principal occupations of the petitioners are peculiarly connected with the locality and that the petitioners would be deprived of the means of earning their livelihood, if their houses should be acquired?

(*c*) If so, will the Government be pleased to favourably consider their prayer?

The Hon'ble Mr. Wilson :—

XXXV. The Honourable Member is referred to the answer given to Question No. XXV.

The Hon'ble B. Narasimheswara Sarma :—

XXXVI. (*a*) Has the attention of the Government been drawn to the fact that relatively to area and population the magisterial fines imposed in Madras have always been much higher than those in any other province in India, the estimates for 1905-1906 being—

	RS.
Madras	5,99,000
Bengal	5,60,000
Agra and Oudh	2,65,000
Punjab	2,07,000
Bombay	2,66,500
Central Provinces	83,500?

(*b*) Will the Government be pleased to enquire into the matter and see that the law is worked so that the fines may press less heavily on the people?

The Hon'ble Mr. Bradley :—

XXXVI. The Government are not prepared to enter upon a comparative examination of the criminal statistics referred to; nor have they the material to draw deductions therefrom. The Governor in Council has no reason to believe that fines are improperly imposed generally in this Presidency. The orders of the subordinate magisterial courts are subject to the revision of District Magistrates and the High Court, who issue any instructions that may be needed to check idiosyncracies of individual courts.

The Hon'ble B. Narasimheswara Sarma :—

XXXVII. Having regard to the fact that breaches on the north-eastern line of the Madras Railway between Ongole and Nellore occurring every year, point to the insufficient provision originally made for drainage, will the Government be pleased to

take the necessary steps for an early survey of the whole of that portion of the line being made and the construction of new bridges being speedily undertaken before the next rains?

The Hon'ble Mr. Wilson:—

XXXVII. The inadequacy of the allowance for waterway on the north-east line of the Madras Railway between Nellore and Ongole has already been investigated by the Railway authorities. During the last two years over 2½ lakhs of rupees have been expended on additional bridges, and it is expected that the section will be reasonably safe from damage by floods before next rains.

The Hon'ble B. Narasimheswara Sarma:—

XXXVIII. (*a*) Has the attention of the Government been invited to the great inconvenience and hardship felt by the Indian travelling public owing to the entire absence of accommodation for bathing and taking their meals at Bitragunta and Bápatla (dining stations) where alone the mail trains stop for half an hour?

(*b*) Will the Government be pleased to take steps that the grievance may be attended to and in the near future?

The Hon'ble Mr. Wilson:—

XXXVIII. (*a*) Government have received no complaints regarding the absence of bathing and dining accommodation for the Indian travelling public at Bitragunta and Bápatla.

(*b*) The matter will be enquired into.

COMMUNICATIONS FOR THE COUNCIL.

The Secretary reported the receipt of the following papers on the subject of the Madras Estates Land Bill, 1905:—

(i) From the mirasidars and pattadars of zamin and shrotriem villages in Madurántakam taluq, Chingleput district, dated 12th November 1906.

(ii) From certain mittadars and zamindars, Tinnevelly district, dated 1st October 1906.

(iii) From Baindur Venkata Rao and others, South Canara district, without date.

(iv) From Maharaja Sri Vikrama Deo of Jeypore, Vizagapatam district, dated 28th December 1906.

THE MADRAS MOTOR-VEHICLES BILL, 1906.

The Hon'ble Mr. M. Hammick presented the report of the Select Committee on the Madras Motor-vehicles Bill, 1906, and moved that the Bill and Report be taken into consideration at once. In doing so he said:—Your Excellency, I don't think it necessary for me to detain the Council except for a few minutes in laying on the table the report of the Select Committee on the Motor-vehicles Bill. The report has been in the hands of Honourable Members now for some days, and I think it will be sufficiently clear from the report that we have made no alteration in the scheme of the Bill, but have only added a clause which was thought necessary, and amended the drafting of other clauses under the advice of the Advocate-General. I need say very little on the Bill itself, as it is of an exceedingly simple character. There are perhaps two points on which there is likely to be some misapprehension unless explained, and I shall therefore briefly explain what is intended by the provisions to which I refer. The one is as regards the registration of motor vehicles. What I will say about that is that the primary object of registering motor vehicles under this Bill is merely for the purpose of identification. The registration will be on the conditions which are referred to in clause 9 of the Bill, sub-clause (*a*). Those conditions will be laid down in rules, and I will say on behalf of the Government that, as far as we can see at present, there is no intention to make rules insisting upon a high standard of efficiency as regards motors registered. Some standard of efficiency will no doubt be necessary, but in all probability that will be of a very simple character. But the main object of registering motors is that we

shall, as is insisted in every country in which legislation has been undertaken with regard to motors,—we shall insist on a motor carrying a very plain diagram with a number and a letter so that any passer-by will be able to identify a motor by its number, which will correspond to the number registered in one of the offices where these motors are to be registered. As regards the efficiency of motors, we shall probably lay down by rules certain simple regulations insisting upon motors being sufficiently under the control of the driver and not of a nature dangerous to public safety. We shall probably follow the Bombay rules which lay down that if, after a certain time, after the motor has been registered, certain officers—it is the District Superintendents of Police in Bombay—consider that it has ceased to comply with these regulations, they will report the matter to the authorities concerned, who will give notice to the owner to maintain it in proper condition, and they will be empowered to cancel the registration after due notice. The main object of registering motors all over the world is merely for identification. It is very important that a motor which goes at a considerable pace should be easily identified by any passer-by, and we shall no doubt insist upon its showing certain numbers and letters which will be visible both by day and night. The next point is as regards licenses. There is apparently some misapprehension as regards licenses, because a license is understood in some sort of way to imply a certain degree of efficiency, a certain standard of qualification on the part of the licensee. I do not think that, as we are advised at present, we shall insist upon anything of the kind. The question is what then is the object of a license. The object of a license is very simple. It is to insure that a person who drives a motor shall do it as a business, and no body will be allowed to drive a motor unless he pays a small fee which is prescribed in the Bill. This will prevent a chance passenger sitting by the driver from taking the reins of the motor into his own hand and trying to drive the car himself. The second point of the license is that if a person who is licensed to drive is found to be driving recklessly and is produced before a magistrate, it is open always to the magistrate to cancel the license. Therefore we insist upon a person who drives the motor taking a certain amount of care and assuming responsibility. These are the main objects of the Bill in regard to the license and registration. There is one other point that I may touch upon, and that is the clause which lays down that no person shall be prosecuted under this Act for not having registered a motor or obtained a license until he has had reasonable opportunity of doing so. That has been taken exception to by one or two Honourable Members, who have suggested amendments. The reason for it is obvious. It is impossible for a person to register a motor without giving the registering officer an opportunity, if he chooses, of examining the motor, and in the same way it would be impossible for the licensing officer to issue a license unless he has had an opportunity of seeing the person to whom he is giving the license. Otherwise a person who is incapable of driving altogether may ask for a license—a person whose hands are not capable of controlling the motor or whose sight is defective, and so on. Therefore it is necessary that a person who desires to take out a license for his motor and requires to have it registered should appear before the registering or the licensing officer before he has it registered or takes out a license for driving it. Then we have the difficulty of a person coming, say, from Mysore, Bangalore or Bengal, or from Pudukkóttai, who drives in a motor without a license or without the car being registered. It seems to me that the Bill very properly lays down that the owner of such a car shall not be prosecuted unless he has had a reasonable opportunity of having his motor registered. We shall empower officers near the frontiers, say at Trichinopoly for Pudukkóttai, and Salem or Hosúr for Mysore, to register the motor coming from Pudukkóttai or Mysore. The registration of the motor at the first station on the frontier is all that we can require him to do. As regards tourists who come from Calcutta and Bombay, the Bill provides that they shall not be prosecuted if they hold registration certificates or licenses issued by another Government in India. The Bill lays down " without such license or license granted under any enactment, " other than this Act, in force for the time being in any part of British India." Therefore we have provided for these two cases. As I have said, we propose to provide in the rules for the maintenance of motors in efficient condition, and at present we do not propose to insist upon any qualification or capacity to drive on the part of the licensee, merely looking upon the license as a ticket given to a person to drive to enable the authorities to prevent a person from driving in future, if he shows incapacity or recklessness in so driving. I do not think that I need say anything more with regard to this Bill. We are still more or less in an experimental stage as regards legislation on

motors, and therefore it is advisable to have rules which can be altered from time to time. I now submit this Bill for consideration, and move that it be taken into consideration at once.

The Hon'ble Sir V. C. Desikachariyar seconded the motion.

The motion was put to the Council and agreed to.

His Excellency the President then put the clauses of the Bill consecutively.

Clause 1.

Clause 1 was allowed to stand part of the Bill.

Clause 2.

The Hon'ble K. R. Guruswami Aiyar :—After the consultation that I have had with some of the Honourable Members and after what has fallen from the Honourable Member in charge of the Bill in regard to the present legislation, I do not propose to move some of the amendments of which I have given notice, and amongst such amendments is the one relating to this clause.

With the permission of His Excellency the President, the amendment of which the Honourable Member had given notice to this clause was withdrawn.

Clause 2 was allowed to stand part of the Bill.

Clause 3.

The Hon'ble K. R. Guruswami Aiyar :—The amendment of which I have given notice in regard to this clause also I do not move.

With the permission of His Excellency the President, the amendment was withdrawn.

Clause 3 was allowed to stand part of the Bill.

Clause 4.

The Hon'ble K. R. Guruswami Aiyar :—In connection with this clause, your Excellency, I merely propose that in the place of "twelve months" "five years" be inserted. My object in moving the amendment, your Excellency, is this: Once the capacity of a driver has been tested for the purpose of issuing a license to him, there appears to be no reason why he should be under the necessity of renewing his license at the end of every year. The Honourable Mover of the Bill made the Council understand that it was not intended to make these things very rigorous and it is only in keeping with that observation of his, that I make this suggestion. There is no object in imposing the restriction on the driver that he should take out a license once every year. The capacity of a driver of a motor vehicle is not likely to deteriorate. If, however, for some reason or other, he must be deprived of the license once issued to him, powers are given under the Bill to cancel the license whenever there is just reason for it. It may perhaps even be suggested by some that the license may stand until revoked for some good cause. Instead of going to that length, I merely suggest five years.

The Hon'ble B. Narasimheswara Sarma :—I beg to second the amendment. It has been stated that it is not so much with the object of securing efficiency that the license is insisted on as for the purpose of identifying the person who is in charge of the motor vehicle. Whenever there is a change of driver, the person himself would apply for a fresh license and secondly there are provisions in this Bill to enable Government officials to cancel a license whenever they deem fit to do so, and when a licensee is not in a position to drive a motor without danger to public safety. Inasmuch as there are these provisions in the Bill, there is no object in insisting upon a driver taking out a license every year. I, therefore, submit that the amendment may be accepted. It may be that the period of five years is too long, but one year is too short a period and we may very well have five years as it is not an unreasonably long period.

The Hon'ble Mr. M. Hammick :—I venture to oppose this amendment on two or three grounds. The first is that the trouble of renewing the license is very much exaggerated, because, as a matter of fact, a man who wishes to have his license renewed will only have to do what he does in England, namely, to send the license to the nearest registering station and get it renewed by an endorsement on it. The trouble in obtaining the renewal will be almost nothing. Secondly it will be

dangerous to fix the period at five years, because everybody who holds a license for five years is apt to forget that he holds a license and also there is no reason why he should be allowed to retain a license unrenewed for such a length of time. Another point which Honourable Members seem to forget is that, according to sub-clause (1) of clause 4, a fee of Rs. 2 will be necessary and this fee will be payable on renewal also. A certain amount of trouble will be caused to the police and a certain amount of establishment will be necessary if this Bill is passed. Further there is no reason why people who own motor cars and who will not be the poorest class of the population should not pay a fee of Rs. 2 a year for the trouble they cause of having a new license issued to them. This is the manner in which licenses are issued in almost every country where legislation has been undertaken of this character. And it seems to be a most reasonable arrangement that a person should pay a small fee for renewing his license. I don't think it will be of the smallest inconvenience to anybody or that anybody will object to it. It is a most reasonable proposal and therefore I beg to oppose this amendment.

The sub-clause to which the amendment was proposed was then put to the Council and agreed to, and the amendment was therefore declared lost.

The Hon'ble P. S. Sivaswami Aiyar:—Your Excellency, in moving the amendment which stands against my name, I beg your Excellency's permission to make a slight transposition of the words as appearing in my amendment. The transposition which I beg leave to make is to transpose the words "The licensing officer may" after the words "in that behalf." This is simply a verbal change and as altered my amendment will run thus:—

That for the proviso the following be substituted: "Subject to the control of "the Local Government or of any officer appointed by them in that behalf, the "licensing officer may refuse to grant or renew a license, or may cancel a subsisting "license; but in all such cases, he shall previously give notice to the person applying "for the license or its renewal, or the holder of the license to appear before him, "either in person or by an agent, at a place and time to be specified in such notice "and to show cause why the application for the grant or the renewal of the license "should not be refused, or why the license should not be cancelled, for all or any of "the reasons specified in such notice and may, after hearing him or his agent, if either "of them appears, refuse the application for the grant or renewal of the license for all "or any of such reasons to be recorded in writing and may, where the license is "cancelled, require the license-holder to surrender the same within a time to be "specified in such requisition."

The object of my amendment is to extend the principle embodied in the proviso of clause 4 to two other cases. Where the licensing officer wants to cancel a subsisting license, the proviso lays down that the licensing officer has to give notice to and hear the holder of the license as to why the license should not be cancelled; and then he has to pass orders and those orders are subject to the control of the Local Government. The object of my amendment is to extend the procedure to two other cases of refusing to grant a license or to renew a license. The first part of clause 4 deals with the grant and renewal of licenses. Sub-clause (1) says that a license may be granted to a person applying for it on payment of a fee of Rs. 2. I take it from that that every person who applies for a license will not, as a matter of right, be entitled to it. That would depend upon the rules to be framed by the Local Government in that behalf. Though at present the Government may have no intention of requiring any special qualification or any special capacity on the part of the drivers, I suppose the time may come when it may be necessary to lay down rules requiring certain qualifications on the part of the drivers. Sub-clause (2) of clause 4 lays down that the provisions with regard to the grant of licenses shall be applicable to the renewal of licenses also. Where a license is asked for in the first instance or is desired to be renewed after it has been once issued, the applicant will have to satisfy certain conditions and it will be open to the licensing officer to grant or withhold a license or its renewal. Where the licensing officer grants or renews a license there is no further question. But where the licensing officer refuses to grant or to renew a license, it seems to be desirable that a person to whom the grant or renewal of license is refused should know the reason why the grant or renewal is refused. If the licensing officer gives reasons, those reasons ought to be subject to revision by the Local Government. The provision that the order of a licensing officer should be

subject to the control of the Local Government has been introduced with regard to the cancellation of a license and I can see no objection to the same principle being applied in the case of refusal to grant a license or of refusal to renew a license. I therefore commend the amendment for your acceptance.

The Hon'ble Sir V. C. DESIKACHARIYAR :—I beg to second the amendment for the reasons given by the Honourable Member.

The Hon'ble the OFFICIATING ADVOCATE-GENERAL :—You omit the substantial power to cancel a license in your amendment. Where is the power to cancel a license ?

The Hon'ble P. S. SIVASWAMI AIYAR :—Yes, I see. I will amend my proviso by inserting the words "or may cancel the license" after the words "renewal of the license".

The Hon'ble Mr. M. HAMMICK :—I have no objection to accepting this amendment which will practically make no difference in the Bill.

The retention of the proviso as printed in the Bill was put to the Council and lost, and the amendment as further amended was then put to the Council and agreed to.

The Hon'ble K. R. GURUSWAMI AIYAR :—The next three amendments which stand in my name I do not propose to move.

With the permission of His Excellency the President, the amendments were withdrawn.

Clause 4, as amended, was allowed to stand part of the Bill.

Clause 5.

The Hon'ble K. R. GURUSWAMI AIYAR :—I don't move my amendment to this clause.

With the permission of His Excellency the President, the amendment was withdrawn.

Clause 5 was allowed to stand part of the Bill.

Clause 6.

The Hon'ble K. R. GURUSWAMI AIYAR :—Here also I don't move my amendment.

With the permission of His Excellency the President, the amendment was withdrawn.

Clause 6 was allowed to stand part of the Bill.

Clause 7.

The Hon'ble P. S. SIVASWAMI AIYAR :—I beg to move an amendment to this clause. This clause says that "the person in charge of a motor vehicle shall to the "best of his ability cause the vehicle to stop, etc." I propose the omission of the words "to the best of his ability". The clause as amended will simply run "the person in "charge of a motor vehicle shall cause the vehicle to stop, etc." The reason for my amendment is that these words "to the best of his ability" may afford a loophole for escape and lead to an evasion of the provision. A person may say that he used his best endeavours to stop the vehicle but the motor ran away and he was not able to stop it. I suppose that any well regulated motor can be stopped by the driver and I may point out that in the English Motor Car Act of 1903 the words "to the best "of his ability" are not to be found. The words used in section 6 of the English Act are "the driver shall, in case of an accident, cause the motor to stop." The requirement that he should cause the vehicle to stop is, I submit, sufficient.

The Hon'ble M. KRISHNAN NAYAR :—I beg to second the amendment. I think, we may well borrow the language of the English Act and omit the words "to the "best of his ability," as they practically nullify the object of this clause. As stated by the Hon'ble Sivaswami Aiyar the person in charge of a motor car may say that "to "the best of his ability" he had tried to stop the car, but he could not. After all, who is the person to judge of his ability? If the question comes before a Court, he will himself be the person to judge of his own ability. Seeing that the effect of these words will be to nullify the object of the clause I beg to second the amendment for the omission of these words.

The Hon'ble Mr. M. HAMMICK :—On this subject I am rather diffident of giving an opinion. That is a matter for lawyers. I do not want to nullify the object of this clause, if such would be the effect of the retention of these words. I can imagine

a case where it is impossible to stop a motor car. There is a case which was mentioned to me last night and which has just happened in Australia where there were motor trials in which two gentlemen met with an accident in going round a corner, and both the gentlemen were thrown out of the motor. After the accident occurred, the motor ran on and took a wide circle and ran over both the gentlemen thrown out and finally ended itself in a ditch. I do not see how, if these words are omitted, this clause could cover that case. Where a motor meets with an accident which puts the machinery out of gear so that the stopping agency of the motor cannot be worked effectively—I can easily imagine such a thing happening—I do not know if these words are omitted how such a case could be dealt with. I am also advised by the Advocate-General that these words should be retained in the clause. That is the only reason I have for leaving these words in. I think these words are to be found in the Bombay Act and in some other Acts. As regards the person who is to judge of the man's ability, the magistrate will be the judge of it. If a man is, for instance, hit by a tree or caught by a branch or hit by something standing out from a motor coming in the opposite direction, he may be stunned, in which case it will be impossible for him to stop the car.

The Hon'ble P. S. Sivaswami Aiyar :—I am told that one could stop a car within ten feet.

The Hon'ble Mr. M. Hammick :—But the man is rendered incapable by an accident. The words here inserted seem reasonable and it must be left to the magistrate to decide whether he did use the best of his ability in stopping the car.

The Hon'ble Sir V. C. Desikachariyar :—I will only point out, in answer to what has fallen from the Honourable Member in charge of the Bill, that in the Bombay Act there is no such wording. Really it will be for the magistrate to decide whether the driver voluntarily refused to stop the car when it was within his power to stop it. I do not suppose that any magistrate would be so insane as to punish the driver in the instances mentioned by the Honourable Member, where the car would be beyond the control of the driver. With great deference to the learned Advocate-General, I do not think it is right that these words should be retained in the clause, for the effect of such retention would be to nullify the clause. You cannot insert the words "to the best of his ability" in a penal section and you don't find it in any other penal section. It is always understood that the magistrate is the person to judge as to whether a person is guilty under a particular section, and in this instance he will have to decide whether it was within his ability to stop the car or not. This is a new Act and we have only copied what exists elsewhere; and if this phraseology does not exist elsewhere I do not see the necessity of inserting it here.

The Hon'ble B. Narasimheswara Sarma :—The Bill does not enjoin any liability to stop within a certain distance. If he is able to stop within a reasonable distance, no liability would attach to him, if, by reason of the car being out of order, he is not in a position to do so at once, because he makes an attempt, and it is by circumstances out of his control that he is not able to stop the car. One observation was made and that was that by reason of an accident he may be stunned and may not be in a position to control the car. But then he would not be responsible for his act. If he ceases to be in charge of the car no intimation to stop would reach him. He would not be in a position to stop the car and he would not be responsible for his actions. It is only where he has been asked by a police officer or somebody else in the case of an accident and he does not stop within a reasonable distance then he will be liable under this section. Words "to the best of his ability" may serve as a loophole to evade the provisions of the Bill and therefore I support the amendment.

The Hon'ble Mr. M. Hammick :—Your Excellency, the Advocate-General seems to be of opinion that as these words apparently do not occur in any of the Acts which exist in this country the matter may be treated as of small consequence. And he doubts very much whether there will be any difficulty caused by the omission of these words. Under these circumstances as the Honourable Members are anxious to have the words struck out I will raise no objection to it.

The question of the retention of the words "to the best of his ability" was then put to the Council and the amendment was declared carried.

The Hon'ble Sir V. C. Desikachariyar :—I do not move my first amendment to this clause but only move the second which is to add to sub-clause (*c*) the following words :—

"The person in charge of the motor vehicle shall, in case of any such accident, "if so required, give his name and address and also the name and address of the owner "of such motor-vehicle".

The reasons why I want these words to be added are these. Under this clause a driver, who holds a license has to give his name and address in certain cases and it may be necessary, when he is not the owner of the car, that the owner's name and address should be known. If an accident happens and no policeman is available near by, any friend of the person who has suffered by the accident may call upon the driver not only to give his name and address but also the name and address of the owner of the car. It must be obvious to Honourable Members that such information would be very necessary in certain cases, so that the driver may not escape and say that there is no obligation on his part to give the name and address of the owner who may have to be reached. I may also draw the attention of the Council to the fact that these words exist not only in the Bombay Act—section 3 of Act II of 1904—but also in the English Act, section 6, where it is stated that the person driving a motor car shall in case of an accident give his name and address of the owner as also the registration mark or the number of the car. As the Honourable Member in charge of the Bill has told us, the mark on the car will be so painted that it will be always visible and therefore the obligation to give the number of the car need not be thrown either on the driver or the owner. Short of that the introduction of the additional words will be of some utility.

The Hon'ble M. Krishnan Nayar :—I beg to second the amendment and in doing so I wish to say one word. The first part of the Bill contemplates that a police officer may cause the driver of a vehicle to stop and give his name and address. That is what sub-clause (*a*) says. Sub-clause (*c*)—the last part of this clause—says that when an accident has happened, then also the driver should stop. So that, the drivers should stop on both the occasions—that is, when he is asked by the police to stop the car and also in case of an accident. On the first of these occasions, that is, when the police officer asks him to stop, he is also bound, if the police officer so requires, to give his name and address; but, on the second occasion, that is, when the accident happens, and when a policeman is not present, the driver is not bound to give his name and address, as the clause stands. In those circumstances, under the existing clause, the driver will no doubt stop his car, but if he is asked to give his name and address he may refuse to give them on the ground that he is not bound under the law to do so. And all that he is required by law to do is to give his name and address to the policeman. In order that the driver may not escape, it is necessary that he should be compelled to give his name and address to others also. For these reasons, I beg to second the amendment.

The Hon'ble Mr. G. S. Forbes :—In the amendment you have the words "if so "required". May I ask the Honourable Member by whom?

The Hon'ble Mr. M. Hammick :—I have no objection to accepting this amendment.

The Hon'ble Sir V. C. Desikachariyar :—With your Excellency's permission, I may say that I would not specify in the amendment by whom the driver is to be asked to give his name and address. It may be that the man who has suffered from the accident is the only individual on the spot or it may be that any other person that may happen to be at the spot may ask for this information. Otherwise there will be no information available afterwards as to whose car it was that caused the accident.

The Hon'ble Mr. G. S. Forbes :—There is the registration number plainly visible on the car.

The Hon'ble Sir V. C. Desikachariyar :—Then he will have to go to the registration office and find out the number. I simply copied this wording from the Bombay Act and I believe it is in the English Act also.

The Hon'ble Mr. M. Hammick :—I have no objection to accepting this amendment. There is some difficulty in the words "if so required," which apparently has been felt by those who have legislated in other places. They have been unable to

find a better way of expressing the intention than by the words that the Honourable Member of the amendment has adopted and I shall not oppose the amendment.

The Hon'ble Mr. H. BRADLEY :—Before these words are made part of the Bill, I should like to point out that you have in the amendment the words "in the case of "any *such* accident". In sub-clause (c) what is stated is "when he knows or has "reason to believe that an accident has occurred." I think the amendment ought to run "shall in case of an accident having occurred, etc., a person may ask him for "his name and address." Suppose, when no accident has occurred, a man pulls up a car, because he thinks that an accident has occurred, and if he finds that no accident has occurred, it should not be open to anybody to ask for his name and address.

The Hon'ble Sir V. C. DESIKACHARIYAR :—I have no objection to alter it in that way.

The Hon'ble K. R. GURUSWAMI AIYAR :—I feel constrained to intervene with one or two remarks on this matter. In behalf of the injured man it seems to be suggested that compulsion should be placed on the driver of the motor to give his name and address. But we have to look at it from the point of view of the driver also. Before a penalty is made to attach to the man to give his name and address, it ought to be made definite in response to whose call he should give his name and address. Whenever there is an accident, it is not unlikely that many people will crowd round the motor. Is he to give his name and address to all? If there are twenty people assembled and if he gives his name and address to nineteen of them and not to the twentieth, yet the penalty may attach to him. That is a point which has to be considered.

The Hon'ble Sir V. C. DESIKACHARIYAR :—In reply to the Honourable Member I should like to state that such things seldom happen. Suppose there are twenty policemen and suppose the driver does not answer one policeman while he answers nineteen, then what is to be done? With reference to what fell from the Hon'bie Mr. Bradley, I am quite willing to adopt his suggestion if the Honourable Member in charge of the Bill would accept it. At the same time, it seems to me that the contingency apprehended by the Honourable gentleman is not likely to happen—that any irresponsible cooly on the road would call upon a person going in a motor car to give his name and address. It is a matter of indifference to me whether the amendment should be amended in the way pointed out or not. But I think that the addition of the words which I have proposed is necessary.

The Hon'ble P. S. SIVASWAMI AIYAR :—I should like to know whether the Hon'ble Mr. Bradley considers his suggestion to be in favour of the driver of a motor.

The Hon'ble Mr. H. BRADLEY :—My suggestion was in favour of getting something which was intelligible.

The Hon'ble P. S. SIVASWAMI AIYAR :—Suppose an accident happens and the driver is not aware of it, the car may rush on and he may not look back, and then he will be under no obligation to give his name and address.

The Hon'ble Mr. H. BRADLEY :—Not at all. You have the words "When he "knows or has reason to believe".

The Hon'ble P. S. SIVASWAMI AIYAR :—I thought that those words are proposed to be omitted.

The Hon'ble the OFFICIATING ADVOCATE-GENERAL :—The amendment that I would suggest is that the following should be inserted at the end of sub-clause (c): "and he shall give his name and address and also the name and address of the owner "of such motor vehicle, if required to do so by such person".

The Hon'ble Sir V. C. DESIKACHARIYAR :—Who is that person? The person who suffers may be quite stunned and he may not be in a position to ask for the information.

The Hon'ble the OFFICIATING ADVOCATE-GENERAL :—Then omit the words "by "such person".

The Hon'ble Sir V. C. DESIKACHARIYAR :—I accept it.

The amendment was then adopted by the Council as follows: "And he shall "also, if so required, give his name and address and the name and address of the "owner of such motor vehicle."

Clause 7, as amended, was allowed to stand part of the Bill.

Clause 8.

The Hon'ble K. R. Guruswami Aiyar :—I beg to move as an amendment to this clause that in lines 50 and 51 the words "half an hour after" and "one hour" be omitted. I find that in the other local Acts —Burma, Bengal and Bombay Acts—this further qualification does not occur. The words occurring there are "between "sunset and sunrise". I find no reason why in this Act alone a change should be introduced. The Honourable Mover of the Bill has referred to tourists coming here from other provinces, and I think that, for the sake of uniformity, it is better that the same rule obtains everywhere, so that they may not be under the impression that one rule prevails in one province and another in another province. Further, there is no reason adduced for the change introduced in the present Bill.

The Hon'ble B. Narasimheswara Sarma :—I beg to second the amendment. The only reason I have for seconding the amendment is this. It may be argued on the other side that there will be twilight for half an hour after sunset and an hour before sunrise; and therefore there should be no liability to carry lights on motor cars during day time. The answer to that is that the twilight may be dim for various reasons; and there is no reason why there should be this special exemption for that period, when you don't find it in other provinces. There may be also difficulty if we retain the clause as it is, to determine when half the hour elapses after sunset, and to obviate such difficulty we may omit these qualifying words and say merely between sunset and sunrise.

The Hon'ble Mr. M. Hammick :—I oppose the amendment on the ground first of all, that there is enough of light for half an hour after sunset and it is needless to waste your lamps when the sun light is sufficiently bright. Then again the rule in regard to vehicles drawn by animals in this Presidency is what is laid down in this clause —I do not know what it is in other Presidencies—and if you change this rule, there will be one rule for vehicles drawn by animals and another rule for motors and the police will find it difficult to remember the distinction. There is no reason why motor cars should be placed under any special disability.

The Hon'ble K. R. Guruswami Aiyar :—I should like to say one word in reply to the Hon'ble Mr. Hammick. There is a difference between an ordinary vehicle drawn by animals and a motor vehicle. Motor vehicles come at great pace and it will be better if, as in other provinces, we insist upon lights being exhibited even at twilight, as it will afford convenience to the public. If this amendment be carried, there will be uniformity among all the Motor Acts.

The portion of the clause to which the amendment was proposed was put to the Council and agreed to, and the amendment was therefore declared lost.

Clause 8 was allowed to stand part of the Bill.

Clause 9.

Clause 9 was allowed to stand part of the Bill.

Clause 10.

The Hon'ble Mr. M. Hammick :—I have a small amendment to this clause. I beg to move that the words "except under the immediate superintendence and "effective control of a person so licensed" in lines 15, 16 and 17 be omitted. We had some discussion in the Select Committee as to the propriety of leaving out these words. We agreed that they should be allowed to stand until we had further advice. I have asked the advice of people who have had anything to do with motors and the universal opinion seems to be that these words should be omitted. It will be dangerous to allow any person except a licensed driver to take charge of a motor, for it is impossible under any circumstances that the motor when driven by another person can be under the immediate superintendence and effective control of the person so licensed. The person who sits in the driver's seat and drives the motor is the only person under whose control the car can be said to be. These words are considered dangerous and therefore I propose their omission.

The Hon'ble P. S. Sivaswami Aiyar seconded the amendment.

The question of the retention of the clause with the words proposed to be omitted was put to the Council and lost. The amendment was thereupon declared carried.

The Hon'ble Sir V. C. Desikachariyar :—Your Excellency and Honourable Members,—My amendment is for deleting the words "and after he has had "reasonable opportunity of obtaining a license under this Act" in lines 9 and 10. I am aware in moving this amendment that with reference to registration these words have been allowed to stand; and I draw this distinction between registration and licences. Registration as has been observed by the Honourable Member in charge of the Bill is a mere formal matter, it being only for the purpose of identifying the vehicle, but I think the licensing is much more important because it is not always that responsible and respectable people will be drivers. There may be persons employed on small salaries who may have to drive such vehicles. And I do not see why in such cases there should be these words "after he has had reasonable oppor-"tunity of obtaining the license." The clause says "whoever after three months from "the day on which this Act comes into force, etc." Three months is a sufficiently long time for anybody to take out a license. It may be said that people coming from Mysore and Pudukkottai for the first time may not be in possession of licenses. But that has been already answered by the Honourable Member in charge of the Bill that arrangements will be made on the frontier for issuing licenses. If the man who applies for a license as a licensed driver in the Native States of Mysore and Pudukkottai, the licensing officer at the frontier will give him the license. Once you open the door to make provision for the few cases which may appear to be hard, then you simply leave the door wide open for numerous cases in which persons may plead that they have not had reasonable opportunity. It would simply nullify the provisions of this clause, if you allow these words to stand. After all these cases which are said to be hard are very few and it is better that no provision is made to meet the few hard cases.

The Hon'ble M. Krishnan Nayar seconded the amendment.

The Hon'ble Mr M. Hammick :—I oppose this amendment. It is very necessary and reasonable that this clause should stand as drafted. I have mentioned the reasons already for retaining the clause as it is. A case might happen in which an owner of a car landed from a steamer desired to drive straight in his car from the harbour. In that case he could not be expected to have his license. If he is brought up before a magistrate, the magistrate would hold him protected by this provision. But if the man remained in Madras for two or three days and yet did not take out a license, the magistrate would say "you have had a reasonable opportunity of getting "your license and you have not obtained it and I shall therefore fine you." The clause is a perfectly reasonable one. I cannot accept the amendment.

The Hon'ble Sir V. C. Desikachariyar :—I will only add one word by way of explanation. The case put forward as a hard case is that of a person landing from a steamer and driving in his motor car. It is just to prevent such a case I want these words to be omitted. Why should there be such a dreadful hurry to drive in a motor car through streets immediately after landing? He can get the loan of the services of a licensed driver. When making laws hard cases are left out and any body who wants to provide for hard cases has only to be reminded of what lawyers would say, viz., hard cases make bad law. In a majority of cases the provision contained in the clause would rather be abused than otherwise.

That portion of the clause to which the amendment was proposed was put to the Council and agreed to, and the amendment was therefore declared lost.

The Hon'ble K. R. Guruswami Aiyar :—My three amendments to this clause are only consequential on those that I have withdrawn, and I therefore do not move them.

With the permission of His Excellency the President, the amendments were withdrawn.

The Hon'ble B. Narasimheswara Sarma :—I should like to know whether this clause does not apply to renewals. A man may apply for a renewal of license and there may be delay in obtaining it.

The Hon'ble Mr. M. Hammick :—The case of a person coming into the city without a license is quite different from that of a person who has applied for a renewal and does not get it in time. If he is not able to get the license renewed in

time, he may complain against the person who is responsible for the delay. The two circumstances are quite different. We cannot therefore accept the suggestion of the Honourable Member.

Clause 10, as amended, was allowed to stand part of the Bill.

Clause 11.

The Hon'ble K. R. Guruswami Aiyar :—With regard to this clause I have given notice that I will move for its deletion altogether. And I now move that this clause be omitted. My reason for it is this. It seems to be unnecessary to enact this clause, because section 279 of the Indian Penal Code applies to the sort of cases that are attempted to be provided for under the clause. Section 279 runs thus: "Whoever drives any vehicle, or rides, on any public way in a manner so rash or negligent as to endanger human life, or to be likely to cause hurt or injury to any other person shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both." In the place of the word "rash" you have the word "reckless" in the clause under consideration. Except for that nominal difference, the sort of cases that are provided for under this clause will be similar to the sort of cases covered by section 279. There are some words in this clause which state that certain matters may have to be taken into consideration, in deciding whether an offender has been reckless or negligent in driving, etc. It is said here—"having regard to all the circumstances of the case, including the nature, condition, and use of the road, and to the amount of traffic which actually is at the time or which might reasonably be expected to be on the road." Whether special attention is called in this way or not to such facts, it is clear that, in the proper interpretation of section 279, those facts will be considered before a man is found negligent or reckless in respect of his driving. There is one important difference which ought not to be allowed to exist. In section 279 the punishment provided is much more severe, it being imprisonment for a term extending to six months or a fine not exceeding Rs. 1,000 or both. But in the present clause, the punishment for the first offence is a fine not exceeding Rs. 100 and in the case of the second or subsequent conviction the fine extends to Rs. 200. If a jutka driver drives his jutka recklessly and negligently, the punishment may possibly be more than what is laid down under this clause; and there is no reason why, with reference to a motor-car in connection with which similar accidents are likely to happen, a less severe punishment should be imposed. Of course, what punishment is to be imposed will depend upon the circumstances of the case at the discretion of the Court which deals with it. If I am right in supposing that the two provisions are exactly similar in their scope and intent there is no reason why this clause should be retained.

The Hon'ble M. Krishnan Nayar :—In seconding this amendment I wish to say that besides the section in the Penal Code pointed out by the Hon'ble Mr. Guruswami Aiyar, there is another section of the Code which applies to this matter, namely, section 336. That section says that "Whoever does any act so rashly or negligently as to endanger human life or the personal safety of others shall be punished with imprisonment of either description for a term which may extend to three months or with fine which may extend to Rs. 250 or with both." So that the offence contemplated under clause 11 of the Bill may come under either section 279 or 336 of the Penal Code which provides a much more stringent penalty than what this Bill lays down. If clause 11 be retained, then the offender may say that there is a special provision in regard to the matter and therefore he cannot be punished under the general law. When there is a general law dealing with such offenders and providing for a higher penalty, there is no reason why a lighter punishment should be provided for in this Bill.

The Hon'ble Mr. M. Hammick :—I think it unnecessary to accept this amendment. The argument of the Honourable mover of the amendment is, that the Penal Code provides a greater penalty than this Bill does and it is more or less making an invidious distinction in regard to motor drivers to retain this clause. But I may point out that under the General Clauses Act, a motor-car driver who commits an offence can be prosecuted under the Penal Code and can be punished under that Code. Because this particular clause is placed in this Bill, is no reason for granting an exemption from prosecution under the Penal Code. The General Clauses Act says

that where an offence is provided for in two or three enactments, the offender shall be liable to punishment under any of these Acts. There is no reason for supposing that anybody who commits a dangerous act in driving a motor will be exempt from prosecution under the Penal Code, because punishment is provided for it in the Motor Bill. In the local Police Act which is in force all over the country, there is a special provision for dealing with people who are guilty of negligently driving or doing several small acts which come under one section or another of the Penal Code. For exactly the same reason, we put this clause in the present Bill. It will draw the attention of the drivers of motors to the matter and it will enable the party damaged to prosecute them if the accident be of a trivial nature under this Act which awards a smaller penalty than the Penal Code. A similar provision is in the Bombay Act and it does not seem to have done any harm there. It does not, therefore, seem necessary to take away the clause from the Bill.

The Hon'ble P. S. Sivaswami Aiyar :—With all deference to the Honourable Member in charge of the Bill, I submit that he has not advanced sound reasons for the retention of this clause. The General Clauses Act has been referred to ; but it furnishes no answer to the argument advanced by the Honourable mover of the amendment. The General Clauses Act permits a prosecution either under the Penal Code or under a special Act. But the question at issue is not whether there is an alternative open to Government or to the prosecuting authorities to prosecute a person either under the one Act or the other ; but whether there is a necessity for introducing a special provision laying down a special penalty in a case already provided for by the Penal Code. There are two sections of the Penal Code bearing upon the same matter, and they have been referred to. If there are these sections in the Penal Code, which are applicable to the matter under consideration, there is no reason why a special provision should be made in this Bill to cover the same cases. The only thing that could be said is that the object of this clause is to provide a lighter punishment. Even if a person is prosecuted under section 279 or under the other section in the Penal Code, to which reference was made, there is no objection to the magistrate awarding a lighter punishment. The Penal Code prescribes the maximum punishment and the magistrate is at liberty to give a light punishment, say a fine of one anna or one rupee. He is not bound to inflict a fine of 1,000 rupees in every case. The section simply says "shall be punished with imprisonment of either "description which may extend to six months or with fine not exceeding Rs. 1,000." He need not be imprisoned; the magistrate may fine him one rupee or rupees 2. There is therefore ample latitude left to the magistrate, who is at liberty to inflict such light punishment as he may desire to inflict. Therefore there is no necessity whatever for enacting a special provision levying a penalty in respect of an act which is already dealt with by more sections than one in the Penal Code. It has been said that there are similar provisions in some of the Police Acts prescribing lighter penalties for offences already dealt with under the Penal Code. I believe there are such provisions and it seems to me that those provisions are unnecessary. The fact that we have superfluous provisions in other Acts is no justification for introducing superfluous provisions in this Bill.

The Hon'ble Sir V. C. Desikachariyar :—Your Excellency, I am not for omitting this clause from the Bill. Two sections in the Penal Code have been referred to by the previous speakers, but the fact is lost sight of that in the Penal Code there is no definition of the word "vehicle". A good deal of trouble arose some years ago when the Madras Corporation wanted to levy a tax on bicycles by bringing them under the term "any other vehicle". Whether a bicycle was a vehicle or not formed the subject matter of a question which was actually taken up before the High Court. When there is no definition of "vehicle" in the Indian Penal Code, I doubt very much whether the earlier section 279 of the Penal Code would apply to cases contemplated under this Bill. Now we make it clear what a motor vehicle is ; and, therefore, it is better to make a provision in this Bill. I do not think that section 336 would in any way cover the cases falling under the present Bill. Section 336 says that whoever commits an act negligently or rashly so as to endanger human life or the personal safety of others he may be punished in a certain way. It may be that the driver himself may drive the car in such a way that it may be against his own personal safety and you may bring him under this section. Therefore, these two sections will not cover the cases contemplated. After all there is not much principle

involved in the objection to the retention of this clause, especially in view of the facts that under the General Clauses Act there could not be cumulative punishment.

The Hon'ble B. Narasimheswara Sarma:—It has been argued by the Hon'ble Sir V. C. Desikachariyar that inasmuch as there is no definition of vehicle in the Penal Code—

The Hon'ble Mr. M. Hammick (*interrupting*):—I am ready, on reconsideration, to accept the amendment. As a matter of fact in Calcutta this clause does not exist.

The question that clause 11 do stand part of the Bill being put to the Council and lost, the motion that the clause do not stand part of the Bill was put and agreed to.

Clause 12.

Clause 12 (renumbered as clause 11) was allowed to stand part of the Bill.

Clause 13.

The Hon'ble K. R. Guruswami Aiyar:—Your Excellency, I do not move the amendment that stands in my name.

With the permission of His Excellency the President, the amendment was withdrawn.

Clause 13 (renumbered as clause 12) was allowed to stand part of the Bill.

Clause 14.

The Hon'ble K. R. Guruswami Aiyar:—I don't move my amendment to this clause.

With the permission of His Excellency the President, the amendment was withdrawn.

Clause 14 (renumbered as clause 13) was allowed to stand part of the Bill.

Clause 15.

Clause 15 (renumbered as clause 14) was allowed to stand part of the Bill.

The Title and the Preamble.

The title and the preamble were next put to the Council and agreed to.

The Hon'ble Mr. M. Hammick:—Your Excellency, I have now the honour of moving that the Bill as amended be passed into law.

The Hon'ble P. S. Sivaswami Aiyar seconded the motion.

The motion was put to the Council and agreed to.

At this stage, the Council adjourned and re-assembled at 2–55 P.M.

THE MADRAS HILL MUNICIPALITIES BILL, 1906.

The Hon'ble Mr. G. S. Forbes, in presenting the Report of the Select Committee on the Madras Hill Municipalities Bill, 1906, and moving that the Bill and Report be taken into consideration at once said:—Your Excellency, I have the honour to present the Report of the Select Committee on the Hill Municipalities Bill. The report has been in the hands of Honourable Members for the past one month, and it is not necessary to go into the details of the modifications which have been made in the Bill as they have been clearly explained in the Select Committee's report. I need refer only to the few points in which any substantial amendment has been introduced. Other modifications are rather those of rearrangement and of drafting made under the advice of the Honourable the Advocate-General. Otherwise, the Bill, in principle, remains precisely where it was when it was introduced. I think there are about five or six points in which we made amendments which in any way can be called material. In the first place the scope of the servants' tax has been slightly extended so as to cover not only male servants but also female servants and power taken to vary the tax with different classes of servants. In the second place, we enhanced the tax on motor-vehicles, and the reasons are given in the report. In the third place we reduced the term within which sanction for construction or reconstruction must be acted upon, from one year to six months in the case of a building, and from six months to three months in the case of a hut or a shed. We have further made a provision for the erection of temporary huts under the special sanction of the Chairman without going through all the formalities of the building regulations. A

slight addition has been made to clause 42 by extending its operation to the sale of flesh intended for human food. Finally, we have made a slight alteration in the building provisions with reference to chimneys to prevent accidents from fire. These are the only points on which amendments of any importance have been introduced. As I have said before, with the exception of these items the Bill is practically the same as it was when it was introduced, with improvements effected in the matter of rearrangement. With these remarks, I beg to move that the Bill, as amended by the Select Committee, be taken into consideration.

The Hon'ble K. R. Guruswami Aiyar seconded the motion.

The motion was put to the Council and agreed to.

His Excellency the President then put the clauses of the Bill consecutively.

Clause 1.

Clause 1 was allowed to stand part of the Bill.

Clause 2.

The Hon'ble B. Narasimheswara Sarma :—Your Excellency, when this Bill was introduced into the Council last November, the Hon'ble Mr. Guruswami Aiyar objected to the provision embodied in clause 2 which proposed to empower the Executive Government to extend the provisions of the Bill to municipalities constituted after the coming into force of this Act, when such municipalities are considered by Government to come within the definition of "Hill Municipalities". The principal ground of objection was there were no reasons given why this power should be given to Government to legislate by notification in the case of municipalities when the needs of those municipalities did not require any such special legislation and that it was unwise to anticipate the needs of particular localities and to legislate in anticipation of those needs. In answer to the objections that we then raised, the Hon'ble Mr. Forbes who was in charge of the Bill stated :

"Whether the Bill should contain the clause enabling the Government to "apply it to future hill municipalities is not a question of very great importance. As "far as I know, I do not think that there is any town situated in the hill ranges in the "Presidency, which is likely to become a hill municipality in the future. The point "may, I think, be left to the Select Committee to consider."

The Select Committee had considered the point and have chosen to extend the scope of this provision by including within its purview not only places which are constituted into municipalities after the coming into force of this Act, but also the existing municipalities which the Government might notify to be hill municipalities and to which they might deem it expedient to extend the provisions of this Bill. The Select Committee has not stated any reasons for this change by which they have extended the scope of the clause—reasons to show that the retention of this clause is both wise and necessary. It may be that the Select Committee considered that it was a very small matter whether the power was given to Government at once or in the future when the occasion might arise to apply this Bill to other municipalities without fresh legislation. No reasons have been adduced for the change that has been introduced. In view of the amendment of the District Municipalities Act which is proposed to be undertaken in the near future, I think it would be enough if the clause stands thus: "It extends to the municipalities of Ootacamund, Coonoor and "Kodaikánal." With this view, I beg to move the amendment of which I gave notice, namely, that in line 16 the words "in the first instance" be omitted as also the words in lines 19 to 24 "and the Local Government may by notification extend it to "any other municipality whether constituted prior to or after the commencement of this "Act which may be declared by such notification to be a Hill municipality." Now it is unnecessary to state that on principle it is objectionable to resort to legislation by notification. It is only because the needs of the situation may vary from time to time and it may be impossible in some cases to make specific rules for the subject, that the Executive Government is empowered to legislate by notification. In this particular instance no such reason can be adduced and therefore the usual objection to legislation by notification holds good. In the present case apart from that, there are a number of practical difficulties. In the first place, what is the definition of a "Hill Municipality"? People may differ as to what municipalities may be said to be hill municipalities and what not. If a place is situated above a certain level above the sea and a few

houses are built there to which a number of people resort for health, can that be said to be a hill municipality, although the climatic conditions of those places may not be analogous to those prevailing at Ootacamund, Coonoor or Kodaikánal? There is no definition of "Hill Municipality" and the legislature is asked to leave it to Government to determine as to whether a particular municipality can be considered a hill municipality or not. As the Hon'ble Mr. Forbes said, so far as we can see at present, there is no place which could be brought within the term of "Hill Municipality." Therefore the clause, as it stands in the Bill, is unnecessary at the present stage. One of the points of controversy in this Bill, at any rate when it was proposed, was as to whether the house-tax and the lighting-tax proposed were not excessive, even considering the peculiar circumstances of Ootacamund and Coonoor. This is special legislation undertaken with special reference to the needs of particular localities, but we are now asked to leave to the discretion of Government to extend the provisions of the Bill and give them additional powers with reference to taxation—to future municipalities as also to municipalities which might be in existence at the present time. No body would, I think, consider it necessary to bring within the purview of the Bill a place which might hereafter be constituted into a municipality and which municipality might 20 years hence require special legislation. Inasmuch as there is no definition of "Hill Municipality" and inasmuch as there is no necessity for such a legislation, the Government may see their way to accepting the amendment, especially when powers of taxation are sought to be entrusted to them. Then, again, it may be said that it is not only that special powers of taxation are given in this Bill, but there are provisions with regard to the sale of meat and drink and also building regulations which it may be necessary to enforce in such places as the Government may consider to be hill municipalities. As regards the building regulations and provisions regulating the sale of articles of food, I may point out that the District Municipalities Act is shortly to be revised. In actual experience it may be found that house-tax in the three hill municipalities named prevents people from building new houses and then some other methods of taxation will have to be devised. I think legislation will have to take a different course with regard to the methods to be pursued for raising revenues in these municipalities. I, therefore, submit that the principle of extending the Bill to other municipalities is altogether objectionable. It is on a question of taxation we are asked to give powers to Government. No one says that the Government will not exercise those powers properly; but the legislature should not abandon the powers which are entrusted to it and hand them over to the Executive Government. For these reasons I hope that the amendment will be accepted.

The Hon'ble Sir V. C. Desikachariyar:—I beg to second the amendment, and only for this reason. On principle legislation by notification should, as far as possible, be avoided. We cannot avoid it altogether. It may be necessary when we have to go into details which a legislative body like ours is not perhaps able to do. And, therefore, a certain amount of latitude should be allowed to the Executive who have to work the Act successfully. But to give a sort of *carte blanche* like this that by a mere declaration of the Executive Government, any municipality may be called a Hill Municipality and that by such notification the stringent provisions of the Bill should be made applicable to such municipality is not at all right. The usual question that may be put is would any body be so unreasonable? It is not a question of reasonableness or unreasonableness, but it is better to go through certain formalities when we have a standing legislature. Take the matter before them and get it passed, so that there may be a certain amount of safety in the shape of open discussion. If a Bill is before the Council, the public and the Press have a chance of representing their views. But when the thing is done by notification, very few people hear about it and there is no chance of discussion. As the Honourable mover of the amendment has said, the Select Committee have given no good reasons why this large power should be taken under this Act. I can understand this Bill being applied to the hill municipalities which are now under consideration. When the time comes for extending the Bill to other municipalities a formal amending Bill may be brought forward and get such municipalities included under it as may be necessary. But on principle, as far as possible, legislation by notification ought to be avoided.

The Hon'ble Mr. G. S. Forbes:—Your Excellency, I regret that I am not able to accept the amendment, certainly in the particular form in which it is proposed,

that is, to omit the last part of clause 2. But with a good deal of the general theory that has been stated by the two Honourable Members who have spoken, I more or less agree. They base their objection on the principle of notification by legislation. But that principle, I do not think, applies to this case with any more force than it does to the general Municipal Act. That Act applies not only to every municipality which exists at the moment the Act is passed, but also to every municipality constituted subsequently. That is, the legislature lays down principles which should apply to all municipalities; and when the Government constitutes other municipalities for the benefit of particular localities, then the Act is applied to them by mere notification. With regard to hill municipalities, the same thing applies. The Bill contains general principles of municipal administration which are believed to be suitable for all our hill municipalities present and future. Perhaps the term "Hill Municipality" is rather vague. As a matter of fact, in regard to the interpretation or construction of it in a court of justice, there will be no difficulty whatever. If the Government extended by a notification this Act to a municipality on the plains and called it a hill municipality, the High Court would no doubt declare the notification to be *ultra vires.* I admit that the clause as it is drafted now is open to some objection; but the intention in altering the original words was simply to make it more general. The Honourable the Advocate-General thought that the best language was that used here. On the other hand, it is possible that, if the clause is not made more definite, it may be argued that the Government might extend it to a municipality on the plains and call it a hill municipality. So far as that objection goes, there may be something in it. But I do not admit the objection that we should not extend the Act or give power to Government to extend the Act to *boná fide* hill municipalities so long as this Act is in force. It is quite likely that Yercaud may be made a hill municipality but surely it is not necessary to have special legislation to bring it under the Hill Municipalities Act. Reference has been made to the fact that the District Municipalities Act is under revision. I do not know when that Bill may be completed and introduced into the Council; but when it is so introduced it may be drafted so as to include hill municipalities. At the present moment, as I have already said, I admit that there is some force in the objection raised that it might be argued that the Government might extend it to a municipality on the plains and call it a hill municipality for the purposes of the Act. I am quite prepared therefore to alter this clause so as to make it clear that this is to apply only to *boná fide* hill municipalities. If any wording of this sort would satisfy the Council, I shall be quite willing to amend the Bill accordingly; that it extends to the Municipalities of Coonoor, Kodaikánal and Ootacamund and to any other hill station which may be constituted a municipality after the commencement of the Act, to which the Local Government may extend it. If this language be adopted, it cannot then be argued that the Government may extend the Act to a Municipality on the plains and call it a hill municipality. If the Honourable Member is willing to accept the amendment in the form I have suggested, I am prepared to accept it. The wording that I suggest is that the words "in a hill station" be inserted after the words "in any other municipality" in line 21.

The Hon'ble P. S. Sivaswami Aiyar:—The word "constituted" will, of course, apply to municipality and not to station.

The Hon'ble the Officiating Advocate-General:—What is a hill station will be decided by the High Court?

The Hon'ble Mr. G. S. Forbes:—The Government will not raise any objection.

The Hon'ble the Officiating Advocate-General:—But the tax-payer might.

The Hon'ble Sir V. C. Desikachariyar:—Any place between Jolarpet and Bangalore may be said to be a hill station.

The Hon'ble the Officiating Advocate-General:—If that is done, you can raise the question in a Court.

The Hon'ble K. R. Guruswami Aiyar:—I am in strong sympathy with the amendment proposed. I am not satisfied that the change of language suggested tentatively by the Honourable Member in charge of the Bill does at all meet the objection advanced against the retention of that part of the clause which is proposed to be deleted. I sat on the Select Committee and I must say that on this point there was not any very elaborate discussion. No doubt, I mentioned it in a casual way that this kind of legislation by notification should not be allowed; and I suggested that the Bill might

really be made to apply only to the three municipalities named therein. But it was thought by a majority of the members that the clause should stand as it is now drafted and there was an end of the matter. With regard to the principle enunciated by the Honourable Members I am glad to find that the Honourable Mover of the Bill is substantially in agreement with those who object to legislation by notification. Then the question has been raised whether power should be given to the Executive Government to extend the provisions of the Bill to any other municipality than these three and it has been argued that the use of the words "Hill Municipality" or "Hill station" would prevent the Executive Government from applying the provisions of the Bill to any municipality that might be constituted on the plains instead of on a hill range. But so long as the term "Hill Municipality" is not defined, the objection would remain. There is no clue anywhere in the Bill except the use of the word hill, from which it can be said either by the Executive Government when it has to extend the Bill or by a Court of law where a question may be raised, whether a station could be called a hill station or not. There is an inherent difficulty in deciding whether a municipality can be called a hill municipality regarded merely from the point of view of its situation. There may be a municipality merely situated on a hill range which may not require the stringent provisions of enhanced taxation which this Bill provides. But there may be a municipality situated in the plains and whose peculiar circumstances may require the stringent provisions which this Bill contains in regard to various matters. The matter, therefore, does not stand concluded merely with reference to the situation of the municipality except that the three municipalities with reference to which these provisions have been deemed necessary are situated, as a matter of fact, on hill ranges. There is no reason why this Bill should have been drafted so as to make it applicable to them alone. We may very reasonably conceive of a municipality like that of Madura with a large population and with crowded habitations which may require the stringent provisions which this Bill enacts. If the matter had been taken into consideration by the Government with reference to some of the municipalities on the plains, it is not likely that the Bill would have been called the Hill Municipalities Bill, and it is not likely that much would turn upon the use of the expression "hill municipality." As a matter of fact, the necessity for a law of this kind arose on account of the peculiar circumstances which we found obtaining in the Municipalities of Ootacamund and Coonoor. In the case of Kodaikánal, I mentioned prominently when the Bill was introduced, and it was practically admitted that the financial condition of Kodaikánal did not require enhanced taxation so soon, and that even with regard to building regulations and other matters, the necessity had not been felt to be urgent in that locality. The present objection started by the mover of the amendment has not been carried so far as to extend to that municipality, though I should have liked that the objection extended even there. With regard to the other municipalities, it is to be noted that the other municipalities that are likely to be brought within the scope of the Bill are very few and that there are not yet any other municipalities constituted in regard to which the question arises whether this Bill should extend or not. Not even the necessity for a municipal constitution has been felt hitherto with regard to Yercaud, Courtallam or Tirupati. The case of Courtallam reminds me of practical difficulties in applying the phrase "Hill Municipality" to it in actual practice. Will you apply the provisions of this Act only to a hill municipality which is situated on a hill range or will you also apply it to a place like Courtallam which is situated at the very foot of the hill range and yet not situated on the range of the hill. The waterfalls are situated within a 100 yards of the habitations on the hill tops and yet the habitations themselves are situated on a tract of country which, in ordinary language, would be regarded as a plain. Courtallam, for instance, might easily be brought under the provisions of this Act by a notification and there would be nothing to prevent Government from the point of view of law from bringing in that station within the scope of this Bill.

The Hon'ble Mr. G. S. Forbes :—It is on the plains; it is not a hill station.

The Hon'ble K. R. Guruswami Aiyar :—I agree with the Hon'ble Mr. Forbes in saying that Courtallam is on the plains. But whether you call it a hill municipality on account of the proximity of the hill or on account of its situation on a hill range is the question. On this point the Hon'ble Mr. Forbes says that the Court would very readily decide whether a municipality is a hill municipality or not, and that there would be no difficulty in deciding that a municipality like that of Courtallam would

not be regarded as a hill municipality. But I do not think that the matter would be left to the discretion of the Court, because once the Government decides and notifies that a place like Courtallam is a hill municipality, the Act would at once apply to it and the Court would have nothing to do with such decision.

The Hon'ble Mr. G. S. FORBES:—That is the reason why I suggested the alteration "in a hill station."

The Hon'ble K. R. GURUSWAMI AIYAR:—That is not an improvement on the language suggested here. Whether it is called a hill station or a hill municipality, the question is whether you call it so, in view of its proximity to a hill or to its situation on a hill range.

The Hon'ble Sir V. C. DESIKACHARIYAR:—The words "hill station" are used in the existing District Municipalities Act.

The Hon'ble K. R. GURUSWAMI AIYAR:—Yes. But we would have no opportunity of getting the matter decided by a court of law as to what is a hill municipality. As soon as a notification is issued by the Government constituting a new municipality and calling it a hill municipality, the question as to whether it is so or not will not be left to the court to decide. The whole thing, therefore, rests merely on the discretion of the Government. One point I will press with a certain amount of insistence, that nothing turns upon the situation of the place. Every thing turns upon the financial and other needs of a particular locality and if the necessity for provisions of the sort embodied in the Bill should arise, it must be out of that situation. I cordially agree with the mover of the amendment and I strongly support it.

The Hon'ble B. NARASIMHESWARA SARMA:—I should like to say a few words by way of reply. It has been conceded that legislation by notification is undesirable. No reason has been adduced why there should be a departure from that general rule. It has not been pointed out that special legislation is necessary at the present moment with reference to any municipality which is likely to be constituted in the near future. Further there are provisions in the Bill which are likely to be made applicable to those municipalities which may be constituted hereafter and provisions in regard to taxation. In a place likely to be newly constituted into a municipality, the ordinary rate of 16½ per cent. taxation is not likely to be introduced at once. It shall have to be worked up to and we shall have to see whether in actual practice 16½ per cent. will do and then only the question will have to be considered whether the stringent provisions of this Bill should be made applicable to it. There is no likelihood of any municipality coming into existence in the near future to which the Bill should be made applicable. No hill station is likely to improve in the near future and there is the risk of the house owners not investing their money on houses for the fear that the Government may introduce enhanced taxation of 20½ per cent.—not that the Government would do it, but there is the risk of Government doing it and for this reason hill stations may not improve. Of course, there is that danger. As the Government is not likely to extend the Bill to any other municipality in the future, I hope the Government would see their way to accept the amendment and I hope the Council would also accept it. With regard to the verbal alteration suggested by the Honourable Member in charge of the Bill, it may be made whether this amendment is accepted or not.

The portion of the clause to which the amendment was proposed was put to the Council and agreed to, and the amendment was therefore declared lost.

The Hon'ble Sir V. C DESIKACHARIYAR:—Will the Honourable Member in charge of the Bill now move his other amendment?

The Hon'ble Mr. G. S. FORBES:—I should like, with your Excellency's permission, to move an amendment to this clause. My amendment is that the words "in the first instance" be deleted and in line 21 after the word "Municipality" the words "in a hill station" be inserted and that after the word "whether" the words "such Municipality be" be inserted.

The Hon'ble the OFFICIATING ADVOCATE-GENERAL:—You need not omit the words "in the first instance" in the way you amend the clause.

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The Hon'ble Mr. G. S. FORBES :—Then I don't move for the omission of those words.

The Hon'ble Mr. M. Hammick seconded the amendment.

The amendment was put and agreed to.

Clause 2, as amended, was allowed to stand part of the Bill.

Clause 3.

The Hon'ble the OFFICIATING ADVOCATE-GENERAL :—With your Excellency's permission, I beg to propose a verbal amendment to clause 3. Instead of the word "applies" I would substitute "extends or is extended."

The Hon'ble Sir V. C. Desikachariyar seconded the amendment.

The clause, as it was, was put to the Council and lost, and thereupon the amendment was put and agreed to.

Clause 3, as amended, was allowed to stand part of the Bill.

Clause 4.

Clause 4 was allowed to stand part of the Bill.

Clause 5.

The Hon'ble Sir V. C. DESIKACHARIYAR :—Your Excellency, the amendment of which I have given notice is merely a verbal one. In the light of the amendment made to clause 3, I would adopt the same amendment and would therefore request your Excellency to permit me to alter my amendment accordingly. I would therefore move that in line 21 the word "is" be substituted for "has been."

The Hon'ble Mr. G. S. Forbes seconded the amendment.

That portion of the clause to which the amendment was moved was put to the Council and lost, and thereupon the amendment was put and agreed to.

The Hon'ble Sir V. C. DESIKACHARIYAR :—I beg to move that on page 4 in sub-clause (2), line 30, for the words "has been" be substituted the word "is."

The Hon'ble Mr. G. S. Forbes seconded the amendment.

The sub-clause to which the amendment was moved was put to the Council and lost, and the amendment was thereupon put and agreed to.

The Hon'ble B. NARASIMHESWARA SARMA :—The amendment which I beg to propose is that in sub-clause (1) (*b*) be added at the end the words "Provided "further that no part of the municipality which is not lighted by means of gas or "electricity, shall be subject to the imposition of the said tax." Now, it is admitted on all hands that the house, water and drainage taxes that are proposed to be levied in these hill municipalities are abnormally high. Twenty and a half per cent. is much higher than that obtaining in other municipalities. The only reason which has been given for imposing this additional tax of 3 per cent. is to enable hill municipalities to devote the revenue derived from that form of taxation solely for the purpose of lighting the municipality by means of gas or electricity. The amendment that I propose only carries it to its logical conclusion. You are welcome to light the city by electricity or gas, but I say that no part of the municipality shall be subjected to the imposition of the tax, which does not enjoy the benefits of improved lighting. Under the District Municipalities Act, the revenues that are collected and taxes raised are utilized for general purposes including lighting. Lighting is considered as one of the general objects for which the revenues of the municipality are raised. Inasmuch as such parts of these three towns mentioned in the Bill as may not be benefited by lighting by means of gas or electricity are paying general taxes out of which the expenditure on ordinary lighting in those parts is met, there is no reason why they should pay additional tax, if they do not receive any additional benefits directly. The danger which is sought to be provided against is that there may be temptation to raise the taxation all over the municipality for the benefit of an important part of the municipality, though the revenue may be utilized solely for the purpose of lighting. The existing proviso says that the tax raised for lighting shall be utilized for lighting only. But still the revenue so raised may not

be enough for lighting the whole town. In such a case, such parts of the town as do not receive the benefit should not be taxed. It may be said that there is a provision in clause 10, sub-clause (2), which says that the Local Government may by notification exempt any part of a municipality from the payment of the whole or any part of the lighting tax. That provision is intended to cover a case where, though they enjoy the benefits of improved lighting, the people of a particular part of the municipality may be too poor to pay the tax, but that does not give a right to any portion of the town to say "you shall not tax me, if you do not give me the particular benefit "for which the tax is raised." Considering the sole object for which this additional 3 per cent. is raised, it stands to reason that people not receiving the benefit should not be subjected to the imposition of the additional tax.

The Hon'ble M. Krishnan Nayar seconded the amendment.

The Hon'ble P. S. Sivaswami Aiyar:—Whenever any scheme for lighting a municipality by means of gas or electricity is taken in hand, there will necessarily be some interval of time between the commencement of the scheme and the completion of it. According to the amendment moved by the Hon'ble Mr. Sarma, it may not be possible for a municipality to levy a tax on any part of the town until it has supplied it with lighting by gas or electricity. But until the municipality gets its revenue, it will not be able to carry out its scheme. My friend's amendment therefore does not meet that state of things. If he will introduce some qualification like this "provided "that no part of the municipality which is not lighted by gas or electricity shall be "subjected to the imposition of additional taxation for a longer period than two years" I for one will support him, because if a scheme for lighting a municipality with gas or electricity is taken in hand, I think it is likely to be carried out within a period of two years and I do not think it is likely to take a longer period than two years to make the necessary arrangements for lighting a municipality like that of Ootacamund, Coonoor or Kodaikánal. The apprehension under which my friend labours is that the tax may be continued to be levied for a number of years without corresponding benefits being conferred upon rate-payers. He referred to his own experience as Chairman of Waltair or Vizagapatam and he told me that he had been levying water-tax for several years though Waltair was not served with water. Such a state of things ought certainly to be provided against, but at the same time we must not make it impossible for any scheme to be taken in hand and carried out, by means of an amendment in this unconditional form.

The Hon'ble B. Narasimheswara Sarma:—I have no objection to accept the suggestion of the Hon'ble Mr. Sivaswami Aiyar.

The Hon'ble Sir V. C. Desikachariyar:—Your Excellency, I would also point out some other difficulty. The Hon'ble Mr. Sivaswami Aiyar has pointed out a difficulty with reference to time. Even with reference to exemption, it is difficult to say which portion of the municipality is exempted. Suppose a municipality is not able to supply gas or electricity for houses, then you can say it is a part which is not lighted by gas or electricity. If this amendment be carried it would be difficult to work the Act. As for the objection raised that taxes are sometimes levied before what they are raised for is provided, the answer is that funds must come first and the advantages afterwards. For instance, what would the Madras Corporation have done if no drainage-tax were levied until the whole of the drainage scheme was completed? The Corporation must first find the money in some other way than taxation and then begin to tax the people. There is not much force in that objection; and unless the Hon'ble Mr. Sarma moves a more comprehensive amendment, it is no good. There is power reserved in the Bill—I am not able to lay my hands on that clause—by which it is open to Government to exempt any part of the municipality from this particular taxation.

The Hon'ble Mr. G. S. Forbes:—Clause 10

The Hon'ble Sir V. C. Desikachariyar:—So, I think we must leave the clause as it is and we cannot therefore support the amendment in its present form.

The Hon'ble K. R. Guruswami Aiyar:—I would rather try to meet such difficulty as has been pointed out in a manner different from the way adopted by the Hon'ble Mr. Sivaswami Aiyar. Instead of introducing an artificial period of two years into the clause, the difficulty may be met in this way. I would rather say that "no "part of the municipality shall be subject to the imposition of the said tax unless that "part is to be lighted with gas or electricity". If that language would meet the

necessities of the case, that would be a better way of wording the amendment. It is rather artificial to fix the period at two years. It is arbitrary to say that two years would be required for the completion of a scheme. Whatever language is adopted by the mover of the amendment, I am in agreement with the principle which leads him to move this amendment.

The Hon'ble Mr. G. S. FORBES:—I am afraid, Sir, that I am unable to accept the amendment in any of the forms in which it has been placed. The very fact that many difficulties have been found by Honourable Members in bringing out something practicable is one of the greatest condemnations of the amendment. It is an amendment which looks very well on paper, but it is difficult of practical application. In a town like Coonoor or Ootacamund, it will be difficult to say which portion of the municipality receives the benefit of the light and which not. Clause 10, sub-clause (2), reserves power to Government to exempt certain parts of the municipality from this taxation. But it is quite a different thing to give a right to any person to come forward and say "I am not benefited by the lighting and I am not "therefore obliged to pay the tax and the municipality will be acting *ultra vires* in "imposing this tax upon me." The proposal looks, as I said, very well on paper. Any amount of theoretical argument can be brought forward for it, but in practice the amendment would be unworkable. As Sir V. C. Desikachari said how are we to know that a definite part of the town of Ootacamund or Coonoor does not receive the benefit of public lighting. In towns where there is a public water-supply for domestic purposes or where stand pipes are erected at certain distances, it is quite possible to say that certain areas do or do not get the benefit of the supply and to lay down that people living beyond certain distances will not be taxed. But this question is one of lighting the public streets. I am of opinion that the amendment either in its original form or in any of the other forms in which it has been suggested cannot be accepted.

The Hon'ble B. NARASIMHESWARA SARMA:—There is one word by way of reply. It is admitted that the revenue is raised for a special purpose and when that purpose is not served in any particular part of the town it is not fair to levy the tax therein. The objection that has been raised is that in actual practice it is difficult to distinguish portions of the town which are benefited by lighting from portions which are not so benefited, because persons living in one part may come to other parts where lighting is done by electricity and thus derive the advantages of such public lighting. We are concerned with public lighting and not private lighting. In the case of public lighting it should not be difficult in practice to distinguish between portions of the town which are entirely excluded from its benefits from the portions receiving the benefits. If this lighting extends to those portions also, then they will be said to receive the benefit. In the case of lighting it is easy to say which portions of the town receives the benefit and which not. If a man living in a portion which is not so lighted walks into that portion of the city which is lighted, he does receive the benefit. But he does not receive the benefit in the manner suggested in the Act. I have no objection to accept the phraseology suggested by Mr. Sivaswami Aiyar.

His Excellency the PRESIDENT:—It is impossible to accept any other amendment but the one printed on the paper.

The Hon'ble B. NARASIMHESWARA SARMA:—Then I move the amendment which is printed on the agenda.

The amendment was put to the Council and lost.

Clause 5, as amended, was allowed to stand part of the Bill.

Clauses 6 to 14.

Clauses 6 to 14 were then allowed to stand part of the Bill.

Clauses 15 to 18.

The Hon'ble B. NARASIMHESWARA SARMA:—Inasmuch as the amendments which I have suggested to clauses 15 and 16 would affect the whole structure of the Bill, I have, in consultation with a few Honourable Members whom I met yesterday, decided to ask for leave to withdraw the amendments.

The amendments of which the Honourable Member had given notice to clauses 15 and 16 were withdrawn with the permission of His Excellency the President.

Clauses 15 to 18 were then allowed to stand part of the Bill.

Clause 19.

The Hon'ble Sir V. C. Desikachariyar :—With reference to the amendments that appear in regard to this clause, I believe mine must have precedence over that of the Hon'ble Mr. Forbes, because I say omit sub-clause (6) altogether, and the Honourable Member has given notice for certain alterations being made in the sub-clause. Logically mine should take precedence, because if my amendment is carried, the other amendment will not be necessary.

His Excellency the President :—All right.

The Hon'ble Sir V. C. Desikachariyar :—My amendment is for the omission of sub-clause (6) and of the word "or" at the end of sub-clause (5). Clause 19 says:—"The only grounds on which approval of a site for the construction or reconstruction "of a masonry building, or permission to construct or reconstruct a masonry building, "may be refused are the following, namely." Then the grounds are stated *seriatim* in sub-clauses (1) to (5) and then you have sub-clause (6). It says: "that the "applicant has not satisfied the Chairman that there are no objections which may "lawfully be taken, on one or other of the foregoing grounds specifying the same, to "the grant of the said approval or permission." How he is to establish this negative, I fail to understand. At the same time it may be said that this language is found in some other Act and therefore we must copy it. If a mistake is once committed there is no reason why we must go on perpetuating it. Unless the Honourable Member in charge of the Bill has special reason for retaining the sub-clause, I think it proper to omit it. It is not a question of things coming under a genus which are not specifically mentioned. All that the sub-clause says is "on one or other of the foregoing grounds". If the grounds are specifically stated in sub-clauses (1) to (5), there is no reason for retaining sub-clause (6), as it will lead to unnecessary annoyance. If this clause is to be omitted, then the consequential amendment will be to omit "or" at the end of sub-clause (5).

The Hon'ble M. Krishnan Nayar :—I wish to add that the retention of this clause is a superfluity. The specific grounds on which the refusal will be made are mentioned in sub-clauses (1) to (5) which contain all the causes on which a refusal is to be made. If all the five sub-clauses are exhausted, then how can the applicant refer to one or other of those five clauses. As it is, this clause is a superfluity and on that ground I second the amendment.

The Hon'ble Mr. G. S. Forbes :—I am afraid that I am again unable to accept this amendment. No doubt, as the Honourable mover of the amendment has said, it is a copy from the other Acts. It occurs in the Calcutta Act and in the Madras City Municipal Act. The clause was considered at great length by the Select Committee and was allowed to stand. The object, as I understand it, of this clause is to put the onus on the applicant of satisfying the Chairman that none of the specific grounds exists. If clause 19 stood without sub-clause (6), there might be much litigation as it would apparently be open to the applicant to go to the civil court and argue that none of the specific grounds existed in fact. To avoid that, the legislature in other places and in this Bill proposes that the onus shall be thrown on the applicant of satisfying the Chairman that these grounds do not exist. As a matter of practical working, it is a very important point that the matter should end, by the Chairman's being able to declare that the applicant has not satisfied him.

The Hon'ble B. Narasimheswara Sarma :—May I point out that there is an appeal against the order of the Chairman to the Municipal Council and the law says that the decision of the Council shall be final. It will not be open to the courts to decide whether the Council has rightly or wrongly refused permission. It is absolutely immaterial on whom the onus should rest, because no applicant would be able to go to any court of justice on any point. With regard to the utility of the provision, I may say that, if he does not satisfy the Chairman that any of those grounds does exist, the application will be rejected and the applicant will do his best to show that such grounds did not exist. If the Chairman is not satisfied that these grounds affect his application the fact that the Chairman is not satisfied cannot be a ground upon which the application should be rejected. That is the question which the Council should consider.

The Hon'ble K. R. Guruswami Aiyar :—Having heard the arguments on both sides of the question it seems to me that it is difficult not to sympathise with the

mover of the amendment in this matter. On the one hand the clause says that if the Chairman should refuse approval, he must do so on one or other of the specific grounds mentioned in this clause. Grounds are given in sub-clauses (1) to (5). On the other hand the sub-clause (6) says that the onus lies on the applicant to show that the Chairman cannot refuse under one or other of the foregoing objections. Reading the clause it looks as if that there is an onus on the Chairman and at the same time there is an onus on the applicant. It would be very easy for the Chairman to say, if he is called upon to do so, whether the application is fit to be objected to on any of those lawful grounds which he knows are available to him. But it will be very difficult for an applicant to say that the Chairman has no ground on which he could reject his application. Proof of negative, as has already been observed, is very difficult. With your Excellency's permission, I will illustrate this by an example. Honourable Members are aware that the bills sent to the Treasury may be objected to on one or other of the grounds of which the Treasury Deputy Collector is so well aware. When a bill is sent to the Deputy Collector and is objected to on any ground that officer sends back the bill with the objection noted, in order that the mistake may be rectified. And then the officer rectifies the mistakes pointed out and draws the salary. But if the onus is laid on the officer to show that there is no ground on which the Deputy Collector could take exception to the bill, then very few officers would draw their salaries. If that parallel be appropriate, it will be easy to conceive in what a difficult plight the applicant will be by the onus being cast upon him in this manner.

The Hon'ble P. S. Sivaswami Aiyar :—I beg to support this amendment. It is wrong, on principle, to throw the onus upon the applicant. In fact, the clause proceeds upon two inconsistent views, as to onus of proof. When the clause begins by saying that the only grounds upon which permission shall be refused are so and so, it assumes that the burden of proving those grounds is upon the Chairman. But when we come to sub-clause (6), it proceeds upon the basis that the burden of proof lies on the applicant. The onus ought to be really laid upon the Municipal Chairman to point out what specific objection there is to granting permission and it is unwise on principle to lay the onus upon the applicant to satisfy the Chairman that there are no objections which may be taken on any of the grounds mentioned. The Chairman ought not to be relieved of the necessity of pointing out the specific grounds, by simply stating the general ground that "you have not satisfied that there are no "objections which can be lawfully taken". As to the danger of going to the civil courts against the decision of the Chairman, it has already been pointed out that the decision of the Municipal Council is final under the provisions of a later clause and therefore the fear of the parties going to civil courts against the decision of the Chairman or the Municipal Council is unfounded.

The Hon'ble Sir V. C. Desikachariyar :—I was quite surprised when the Honourable Member in charge of the Bill said that he could not see his way to accept my amendment. It is not a question of onus. If you would look at the question a little more carefully, you would find that it is not a question of onus at all. What is the good of providing an appeal when the *ipse dixit* of the Chairman will put an end to the whole thing. You may provide an appeal but he may say, under sub-clause (6), "I am not satisfied". What is the good of providing an appeal in one breath and taking it away by another. On reading the amendment of which notice has been given by the Hon'ble Mr. Forbes, I find that the Chairman should specify such grounds in writing. When an appeal is taken before a Municipal Council, he may say "I am acting under sub-clause (6)". It is rather curious as I have said before, that the only ground that could be urged in favour of the retention of the sub-clause is the existence of a similar sub-clause in the Madras Municipal Act. But that is no ground at all. If no better reasons can be adduced by the Honourable Member in charge of the Bill, I trust that the Council will not accept it. Under the proposed sub-clause, the Chairman's decision will become practically final. He may say most honestly that he has not been satisfied. I don't want to say that he might say it for any ulterior motives : most honestly he might think that he has not been satisfied. That puts an end to the whole right of appeal. That is not a desirable state of things, and I trust that the Honourable Member in charge of the Bill will still reconsider his position and allow the amendment.

The sub-clause as it was in the Bill was put to the Council and agreed to, and thereupon the amendment was declared lost.

The Hon'ble Mr. G. S. Forbes :—It is a verbal amendment that I have to move to this clause, viz., that in sub-clause (6), line 46, the words "specifying the same" be omitted and at the end of the sub-clause be added the words "the Chairman shall "specify such grounds in writing". From the statement of the Chairman that he is not satisfied that a particular objection has been lawfully taken, there will be an appeal to the Municipal Council and the intention is that the Chairman should specify the ground on which he is dissatisfied with the applicant's statement. He ought to specify that clearly.

The Hon'ble P. S. Sivaswami Aiyar :—Does it refer to sub-clause (6) or to the whole clause ?

The Hon'ble Mr. G. S. Forbes :—Clause 29 covers the grounds mentioned in sub-clauses (1) to (5), but this refers particularly to sub-clause (6) and it makes it clearer. The grounds of refusal must be clearly stated under clause 29.

The Hon'ble Sir V. C. Desikachariyar :—Does not clause 29 apply to huts, whereas clause 19 applies to masonry buildings?

The Hon'ble Mr. G. S. Forbes :—I am obliged to the Honourable Member. I was wrong. Clause 17 is the appeal clause and not clause 29.

The Hon'ble M. Krishnan Nayar seconded the amendment.

The Hon'ble Sir V. C. Desikachariyar :—I should like to know from the Honourable Member in charge of the Bill as to why if clause 17 applies to the whole Bill there should be a special provision.

The Hon'ble Mr. G. S. Forbes :—It is simply to make it clear. He might get off by simply saying that he is dissatisfied. But in order to make it clear on what grounds he is dissatisfied, this provision is introduced.

That portion of the clause to which the amendment was moved was put to the Council and lost, and thereupon the sub-clause as amended was put to the Council and agreed to.

Clause 19, as amended, was allowed to stand part of the Bill.

Clause 20.

Clause 20 was allowed to stand part of the Bill.

Clause 21.

The Hon'ble Sir V. C. Desikachariyar :—My amendment is a very simple one, viz., that in line 12 for the words "six months" be substituted the words "one year." I have an excellent reason for the amendment in the one given by the Honourable Member in charge of the Bill with reference to the last amendment, viz., that you find one year in the Madras City Municipal Act, section 273. The only reason given by the Select Committee for putting down six months is that one year is too long a period. If one year is not a long period on the plains, it is not at all long on a hill station. You will find that under the elaborate provisions of the Bill the consideration of an application may be prolonged. When a permit is applied for, they might call for further information. It may be six months before a permit is given, and it will be risky for any person to be sure of a permit. It is only after the permit is got, he will be able to collect the building materials and therefore that is all the more reason why you should allow a longer period after the permit is obtained, for him to begin the construction. I submit to the Council that it would not be unreasonable to allow one year which is allowed on the plains under the Madras Municipal Act. After all, nothing is gained by limiting the time. When a man goes to the trouble of applying for a permit and getting the site approved he will not willingly neglect to begin operations. If at all he neglects for three months, it is only he that suffers.

The Hon'ble B. Narasimheswara Sarma :—I beg to second the amendment. The conditions are not likely to change within a year. It will give needless trouble to the person if he is to renew the application at the end of six months.

The Hon'ble Mr. G. S. Forbes :—This question was carefully considered by the Select Committee. They knew that the limit in Madras was one year. Considering the peculiar circumstances of hill municipalities where things change much more

quickly and for reasons connected with the dilatoriness of people in carrying out works for which they have received sanction the period was deliberately altered by the Select Committee from 12 to 6 months. Six months is from the date of the order for the execution of the work. If a man does not take any steps in that period, it is no great hardship that his permit should lapse and should not remain longer in force; and further there is no hardship because he can always renew his application. There was on the Committee certainly one member who knew intimately the circumstances of Ootacamund; and we thought that a period of six months was enough.

The Hon'ble Sir V. C. DESIKACHARIYAR :—I may say that I was not aware that there were peculiar circumstances in hill stations which facilitated persons building houses sooner than on the plains. If there is such a view put forward by persons having such peculiar knowledge I don't want to oppose it. Suppose a permit is given just before the monsoon begins, it will continue during the next six months. Then it will be impossible for the man to commence the building operations within that period. If one year was necessary on the plains, I thought it would not be too long in the case of hill stations. But since the Honourable Member says that the reverse is the case, I am unable to say anything more than what I have stated.

The portion of the clause in regard to which the amendment was proposed was put to the Council and agreed to; and the amendment was therefore declared lost.

Clause 21 was allowed to stand part of the Bill.

Clauses 22 to 30.

Clauses 22 to 30 were allowed to stand part of the Bill.

Clause 31.

The Hon'ble Sir V. C. DESIKACHARIYAR :—My amendment to this clause follows the other amendment. I therefore simply move it. The amendment is for the omission of sub-clause (4) and of the word "or" at the end of the sub-clause (3).

The Hon'ble M. Krishnan Nayar seconded the amendment.

The portion of the clause to which the amendment was proposed was put to the Council and agreed to, and the amendment was therefore declared lost.

The Hon'ble Mr. G. S. FORBES next moved that in sub-clause (4), for the last three lines be substituted the following :—

"on one or other of the foregoing grounds to the grant of the said permission. "The Chairman shall specify such grounds in writing."

The Hon'ble Mr. M. Hammick seconded the amendment.

The amendment was put to the Council and agreed to.

Clause 31, as amended, was allowed to stand part of the Bill.

Clause 32.

The Hon'ble Sir V. C. DESIKACHARIYAR :—My amendment is that in line 4 for the word "three" be substituted the word "six". I have already given reasons; I simply retain six months in the Bill as it originally was, in conformity with the Madras Municipal Act.

The Hon'ble M. Krishnan Nayar seconded the amendment.

The Hon'ble Mr. G. S. FORBES :—For the reasons I have stated before, I am unable to accept this amendment. The matter was considered by the Select Committee. It is a practical question and we were advised that three months were quite enough. The Select Committee accepted the advice and the clause was amended accordingly.

The portion of the clause to which the amendment was proposed was put to the Council and agreed to, and the amendment was therefore declared lost.

Clause 32 was allowed to stand part of the Bill.

Clauses 33 and 34.

Clauses 33 and 34 were allowed to stand part of the Bill.

Clause 35.

The Hon'ble Sir V. C. Desikachariyar :—The amendment that I beg to move is that in lines 55 to 59 be omitted the following words :—

"and shall give notice in such permission that the person obtaining the permission do remove such hut or shed within a period which shall be specified by the "Chairman in such notice."

My reasons for this amendment are shortly these. You will see that in an earlier portion of the clause it is stated that the Chairman may grant permission at his discretion on such terms as he may decide in each case. If that does not cover all cases, I do not know what will. He may fix any time; why should you tie down the hands of the Chairman and say that in every case he should insert the period within which it should be demolished. I take it that the word "temporarily" was advisedly introduced into the clause to show that these are merely *kacha* huts as opposed to *pucka* buildings, and if that is so, what in one locality of Ootacamund or Coonoor may be most objectionable may be unobjectionable in another. Suppose in Kandal there is potato cultivation why should you bind the hands of the Chairman to fix the time within which the hut that is to be raised in a potato field so far away should be demolished. Even without these words it will be open to him to fix the time, because he will grant the permit on such terms as he decides in each case. I appeal to the Honourable Member in charge of the Bill to accept the amendment.

The Hon'ble the Officiating Advocate-General :—Would you retain the word "temporary"?

The Hon'ble Sir V. C. Desikachariyar :—Yes, I have no objection to omit the word "temporary," if it is necessary; if "temporary" means that it is opposed to permanent.

The Hon'ble M. Krishnan Nayar :—Your Excellency, in seconding this amendment I wish to say this. What the Honourable mover of the amendment says is that if you retain this clause as it is, it makes it obligatory on the Chairman to give notice in every case. But there is no necessity for such obligation, inasmuch as the preceding portion of the clause gives him full powers to demolish a building. He is at liberty even now to give notice for the demolition of a building, so that the object of the latter part of this clause is gained by the first part. The only thing is that if you retain the latter part, the Chairman will be compelled in every case to state in the notice that the building should be demolished within a particular time. There is no necessity for compelling the Chairman to insert such a condition in the permit. For these reasons I second the amendment.

The Hon'ble Mr. G. S. Forbes :—I am afraid that I cannot accept this amendment. There are two classes of huts under this Bill. The ordinary hut is dealt with in the previous section, and is also provided for in the building regulations in the schedule. The ordinary hut is to be under specific rules and specific terms. The exception is to be only with reference to purely temporary huts. The whole point with reference to these is that they are temporary. This provision is an exception to the rule, which would impose heavy obligations upon people who put up such huts and sheds. In order that a person who puts up such a hut should know distinctly and clearly that it is purely a temporary erection, the Select Committee decided that the Chairman should be required to put in the permit the period for which the hut is permitted. That was put in deliberately after considerable discussion by the Select Committee. When the Chairman gives a permit, he should be attentive to the fact that it is only temporary. The words "on such terms" may include any length of period; but in order to make it perfectly plain to the person that the permission is granted for only temporary huts, the Select Committee added these words.

The Hon'ble K. R. Guruswami Aiyar :—I am afraid that there is some misconception underlying this amendment. I would call the attention of the Council to clause 26 which the Council has already passed. Clause 26 says :—

"Every person who intends to construct or reconstruct a hut or shed shall send to the Chairman—

"(*a*) an application for permission to execute the work, and

"(*b*) a site-plan of the land."

This clause, as well as the following clause, relates to the construction or reconstruction of ordinary huts or sheds which are not of a temporary character. Some elaborate provisions are framed in reference to these erections. Then as the Honourable mover has said, this section 35 was added newly to cover cases of temporary sheds and the only purposes for which temporary sheds are required are mentioned in the clause. Once it is laid down that these are of a temporary character, differing from other huts and sheds, it follows that as soon as the period for which their retention has been allowed lapses, the huts and sheds must be removed, unless there is an application for renewal. In the case of these temporary sheds, it will be a tardy procedure, after the period expires, to insist upon the Chairman giving special notice and, after the lapse of certain time, taking proceedings for their removal. Therefore it was enacted that at the time of giving the permit notice also might be given that when the time expires the hut must be removed, unless the renewal of the license is previously obtained. It is in favour of the applicant that this provision as to notice was inserted; and in order that the giving of notice may not make the proceedings unduly tardy it was suggested that the notice should be tacked on to the license itself. It seems to me therefore that the clause must stand as it is.

The portion of the clause to which the amendment was moved was put to the Council and agreed to, and the amendment was therefore declared lost.

The Hon'ble Raja Vasudeva Raja Valia Nambidi of Kollengode:—Your Excellency, I beg leave to propose that clause 35 of the Act newly introduced by the Select Committee be amended by omitting the word "shall" in line 55 and substituting therefor the word "may". If I understand the scope of the clause rightly, I believe, it aims at providing for a special class of cases wherein the immediate erection of temporary huts or sheds may be found necessary without the inconvenience and loss of time consequent on a strict compliance with the rules in this regard. The first portion of the clause makes it clear that the formalities laid down as a condition precedent to the construction of huts generally may be relaxed where they are required to be temporarily put up for stabling accommodation, for watching crops, or for storing building materials. A causal visitor to the hill stations who may need stabling accommodation immediately which, owing to a large influx of visitors or from some other cause is not readily available, will be subjected to much inconvenience, if he is required to comply with all the rules beforehand for which the clause provides. Similarly, if at the end of the term for which permission is given the applicant wishes to hold on for a short time longer or is forced by circumstances to continue the structure it will work hard on him that he should first pull down the hut and then apply for permission to renew in the usual way. My amendment, while vesting in the Chairman the power to give notice for removal in the order of permission itself in cases where it may be found expedient, also gives him the discretion to relax the rule where that course appears to him desirable. I think there will be not only no harm in giving the Chairman this power, but there will be also some advantage to the public in giving it to him.

The Hon'ble P. S. Sivaswami Aiyar seconded the amendment.

The Hon'ble Mr. G. S. Forbes:—The reasons given by the Hon'ble Mr. Guruswami Aiyar and myself conclude this amendment. The whole point of the clause is that the Chairman shall give notice. It is not necessary to repeat the observations already made. I cannot accept the amendment.

The portion of the clause to which the amendment related was put to the Council and agreed to, and the amendment was therefore declared lost.

Clause 35 was allowed to stand part of the Bill.

Clauses 36 to 43.

Clauses 36 to 43 inclusive were allowed to stand part of the Bill.

Schedules I to III.

Schedules I to III were allowed to stand part of the Bill.

The Title and the Preamble.

The Title and the Preamble of the Bill were next adopted.

The Hon'ble Mr. G. S. Forbes :—I now beg to move that the Bill as amended be passed into law. It seems quite unnecessary for me to make any detailed remarks as every point has been fully considered in the course of the discussion. I regret that the Hon'ble Mr. Hodgson, who has taken very great interest in this Bill, is not here. He desires me to express his regret that he is unavoidably prevented from coming to this meeting of the Council. He would have liked to have said a few words chiefly to express the hope that some other methods of taxation proposed should have consideration. We have not, however, been able to give consideration to methods other than those provided in the Bill. He adds that he would have voted for the Bill as amended, as it is necessary to have enhanced powers in the matter of building regulations and for the control of the sale of articles of food.

The Hon'ble K. R. Guruswami Aiyar seconded the motion.

The motion was put to the Council and agreed to.

His Excellency the President :—Gentlemen, I declare the Council adjourned *sine die*.

H. D. TAYLOR,
Ag. Secretary to Government, Legislative Dept.

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30. X. 1907
FORT ST. GEORGE

Proceedings of a Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Acts of Parliament, 24 and 25 Vic., cap. 67, and 55 and 56 Vic., cap. 14.

The Council met at the Council Chamber, Fort St. George, at noon on Tuesday the 9th day of April 1907.

PRESENT:

His Excellency the Hon'ble Sir ARTHUR LAWLEY, K.C.M.G., G.C.I.E., Governor of Madras—*Presiding*.
The Hon'ble Mr. G. S. FORBES, C.S.I.
The Hon'ble Mr. M. HAMMICK, C.S.I., C.I.E.
The Hon'ble Mr. J. N. ATKINSON.
The Hon'ble Mr. C. J. WEIR.
The Hon'ble R. V. SRINIVASA AIYAR Avargal, C.I.E., Diwan Bahadur.
The Hon'ble Mr. A. G. CARDEW.
The Hon'ble K. R. GURUSWAMI AIYAR Avargal.
The Hon'ble M. KRISHNAN NAYAR Avargal.
The Hon'ble B. NARASIMHESWARA SARMA Garu.
The Hon'ble Nawab MUHAMMAD RAZA KHAN.
The Hon'ble Mr. H. P. HODGSON.
The Hon'ble P. S. SIVASWAMI AIYAR Avargal.
The Hon'ble Raja VASUDEVA RAJA Valia Nambidi of Kollengode.
The Hon'ble Mr. V. G. LYNN.
The Hon'ble Sir V. BHASHYAM AIYANGAR, *Kt.*, C.I.E., Diwan Bahadur (Officiating Advocate-General).
The Hon'ble Sir V. C. DESIKACHARIYAR, *Kt.*
The Hon'ble Mr. T. T. LOGAN.
The Hon'ble Mr. F. J. WILSON.
The Hon'ble Mr. J. TWIGG.
The Hon'ble Raja V. VIRABHADRA RAZU Bahadur, Zamindar of Kurupam.
The Hon'ble Mr. H. BRADLEY, C.S.I.
The Hon'ble C. K. SRINIVASA RAO Avargal.
The Hon'ble Mr. J. ANDREW.

ADDITIONAL MEMBERS.

The Secretary reported that the following gentlemen had taken their seats as Additional Members of Council:—

The Hon'ble C. K. SRINIVASA RAO Avargal.
The Hon'ble Mr. J. ANDREW.

QUESTIONS AND ANSWERS.

The Hon'ble P. S. SIVASWAMI AIYAR:—

I. (*a*) Has the attention of Government been drawn to the leading article in the *Hindu* of the 12th March 1907 as well as to a leaderette that was published in the *Indian Patriot* of the 8th March 1907 under the heading of "Personal allowance to Eurasian clerks"?

(*b*) Is it a fact that in the office of the Inspector-General of Police one Mr. Gibbs, a storekeeper drawing a salary of Rs. 80, has, in order to supplement his salary, applied for a "conveyance allowance" of only Rs. 15 and that the head of the department was pleased to recommend for a more favourable concession, viz., for a "house-rent allowance"?

(*c*) Is it true that the Government were finally pleased to sanction a still more favourable concession, viz., "a personal allowance of Rs. 25" which would count towards pension also?

The Hon'ble Mr. Bradley :—

I. (*a*) The Government have now perused the articles referred to.

(*b*) The salary of Mr. Gibbs has been Rs. 200 for the last six years. In view of the fact that he would be better off in the mufassal than in Madras where his services are specially required, the Inspector-General of Police recommended him for a house-rent allowance of Rs. 25 per mensem.

(*c*) The Government sanctioned a personal allowance to Mr. Gibbs because the grant of house rent would be a precedent for a similar grant to his successors. In the mufassal Mr. Gibbs would be receiving at least Rs 200 + 15 conveyance allowance with the addition of quarters at a very moderate rent.

The Hon'ble P. S. SIVASWAMI AIYAR :—

II. (*a*) Is it true that the lascars in the office of the Inspector-General of Police applied for an allowance of one rupee each per mensem on account of the extraordinary dearness of food-grains prevailing in this city?

(*b*) Will the Government be pleased to grant a temporary relief to those lascars by sanctioning the grain allowance which they have prayed for?

The Hon'ble Mr. Bradley :—

II. (*a*) The Inspector-General received a petition from the lascars of his office on the 21st November 1906, requesting an increase to their pay on the grounds "that it has been fixed some years before," that "work had increased" and that "living had become more costly". The Inspector-General, however, saw no reason to entertain the request.

(*b*) The lascars did not pray for temporary relief or for a grain allowance.

The Hon'ble P. S. SIVASWAMI AIYAR :—

III. (*a*) Is it a fact that the Government have sanctioned the grant of "a personal allowance of Rs. 20" to any European or Eurasian clerk in the Chief Secretariat office until he is promoted to the Rs. 100 grade?

(*b*) Will the Government be pleased to state whether, in the first instance, any application for such a concession was made to them by the European or Eurasian clerks of the staff, and if so, the grounds on which they sought this special concession?

(*c*) Do the Government intend to grant a similar concession to the European and Eurasian clerks in other public offices in this city?

The Hon'ble Mr. Bradley :—

III. (*a*) The Government a short time ago sanctioned the grant of a personal allowance of Rs. 20, as stated, to European and Eurasian clerks entering the Chief Secretariat in the lowest grade. The allowance is not admissible to those whose emoluments have reached Rs. 100 and upwards. These clerks now enter at the bottom of the list and rank for purposes of promotion with reference to the date of such entry. The Government prefer this course to that which it is understood is adopted in Bengal of having a special câdre for Europeans and Eurasians. Only one man at present has drawn the allowance.

(*b*) The answer is in the negative; but the Government consider it desirable to employ a certain number of Europeans and Eurasians in the Secretariat and have adopted this course in order to attract men of this class with the required character and qualifications.

(*c*) The Government have no such intention.

The Hon'ble P. S. SIVASWAMI AIYAR :—

IV. (*a*) Has the attention of Government been drawn to a leaderette that was published in the *Hindu* of the 15th March 1907 under the heading "Public offices and night work"?

(*b*) In view to the safety of valuable records in public offices and their protection from fire and in view of avoiding the attendance of clerks and other subordinate officials beyond the usual closing hour of 5 P.M., will the Government be pleased to issue orders to the heads of public offices as regards the hours of working, the prohibition of the use of lights and such other precautionary measures as may seem necessary to be adopted?

The Hon'ble Mr. Bradley :—

IV. (*a*) The Government have now perused the article.

(*b*) The usual office hours are from 11 A.M. to 5 P.M., but these are liable to alteration when the state of the work requires it. The Government do not think it desirable to make any change in this respect. As to the protection of public buildings from fire, the Government issued rules in 1896. The Government appointed a Committee to enquire into the causes of the recent fire at Chepauk and to make such recommendations as they deemed proper to obviate the danger of the recurrence of similar accidents.

The Hon'ble P. S. SIVASWAMI AIYAR :—

V. (*a*) Has the attention of Government been drawn to the leading article on "Government and Subordinate officials" that appeared in the *Hindu* on the 22nd March 1907?

(*b*) Will the Government be pleased to consider favourably the question of increasing the remuneration the low-paid officials and menials in Government service?

(*c*) Will the Government be pleased to lay on the table all the important papers relating to the full data underlying the revision of the "normal", "warning" and "scarcity" rates which was said to be under their consideration?

The Hon'ble Mr. Cardew :—

V. (*a*) The Government have now perused the article in question.

(*b*) The Honourable Member is referred to the answer given to Question No. XXV at the meeting of the Legislative Council held on the 13th November 1906.

(*c*) The data on which the existing normal, warning and scarcity rates were based will be found in the following orders of Government :—

G.O.,	No.	1077,	Revenue,	dated	18th December 1893.
,,	,,	306	,,	,,	2nd July 1896.
,,	,,	763	,,	,,	31st December 1896.
,,	,,	696	,,	,,	5th August 1902.

The first three orders have already been laid on the Editors' Table and the Government will be pleased to supply the Honourable Member with copies of all four orders if he desires them.

The Government cannot at present publish the data on which the revision of the normal, warning and scarcity rates is now being considered.

The Hon'ble P. S. SIVASWAMI AIYAR :—

VI. (*a*) With reference to the answer given to my interpellation (No. XII) at the last Council meeting, is it true as was stated in the *Hindu* and the *Madras Standard* on the 23rd and 24th January 1907, respectively, that the endorsement which was worded in general terms was given the effect of an office order by being circulated among the responsible officers for information and guidance and that no petitions have been addressed to the Secretary ever since?

(*b*) If this be true, will the Government be pleased to cause the order of the Secretary to be revoked?

The Hon'ble Mr. Cardew :—

VI. The Government have now been informed that, though no circular order was issued by the Board, the Secretary's endorsement was circulated to heads of sections in the Separate Revenue department. No complaint has been made to Government on the matter and they see no reason to take any further action.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

VII. (*a*) Is it a fact that some of the hillmen in the Ganjám and Vizagapatam Agencies have no medical help of any kind?

(*b*) Will Government be pleased to attach additional Hospital Assistants to dispensaries in and adjoining the Agency in the above districts and direct them to pay frequent visits to hill villages and offer medical aid to such ignorant hillmen as won't resort to it of their own accord?

(*c*) Will Government be further pleased to sanction a scale of travelling allowance and batta to the Hospital Assistants when out on such duty as an inducement to them to discharge their duties regularly and well?

The Hon'ble Mr. Bradley :—

VII. (*a*) Some of the hillmen in the Agency tracts reside at a considerable distance from hospitals and dispensaries. The Government, however, cannot say that they have no medical help of any kind.

(*b*) The Divisional-officers have Hospital Assistants attached to their offices whose services are available in ordinary course. It is impracticable to arrange that Hospital Assistants should tour in the villages to offer medical aid to those who decline to resort to the established dispensaries.

(*c*) The Government do not propose to sanction a scale of travelling allowances beyond what is admissible under the present rules.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

VIII. (*a*) Is it a fact that great scarcity of water prevails in many of the villages in the Ganjám and Vizagapatam Agencies during a large part of the year; that when water is available, it is so impure as not to be fit to be used for drinking purposes; and that in consequence the people are often obliged to go miles away from their homes in quest of drinking-water?

(*b*) Since the Local Boards Act has been introduced into these Agencies, will Government be pleased to direct the Local Boards of the two districts to make a liberal provision in their budgets for sinking a sufficient number of wells wherever they are found useful, and thus place the people within easy reach of pure drinking-water?

(*c*) Will Government be pleased to make due provision for that purpose from Provincial Funds if the Local Boards cannot afford to do so from Local Funds?

The Hon'ble Mr. Bradley :—

VIII. The Honourable Member is referred to the answer given to Question No. IV (*b*) asked by him at the meeting of the Legislative Council on the 22nd January 1907 and is reminded that the Local Boards Act is in force only in a portion of the Vizagapatam Agency and not in the Ganjám Agency. The Government have no information that the inhabitants of the villages in the Vizagapatam Agency suffer any special hardship in the matter of drinking-water. As to the Ganjám Agency the Government on the representation of the Agent have allotted funds for the improvement of the water-supply in certain parts of that tract.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

IX. Will Government be pleased to consider the desirability of including a course of agricultural studies among the subjects prescribed for the Revenue Lower and Higher tests and of making it compulsory for Tahsildars to undergo regular agricultural training before they are appointed?

The Hon'ble Mr. Cardew :—

IX. The Government do not doubt that a knowledge of agriculture would be useful to Land Revenue officers. But they do not consider that the inclusion of an examination in agriculture among the subjects prescribed for the Special Tests is the proper way to promote that knowledge; nor do they think it possible at present to require Tahsildars to undergo regular agricultural training before they are appointed.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

X. (*a*) Is it a fact that under the New Educational Rules the Uriyas have been omitted from the list of "backward classes" entitled to pay half-rates of school fees, while the Muhammadans have been retained under that class as usual?

(*b*) Is it a fact that the Uriyas are not less backward than the Muhammadans and deserve to be continued under that category as hitherto?

(*c*) If so, will Government be pleased to continue to treat them as a "backward class" as before?

The Hon'ble Mr. Bradley :—

X. The Government have now restored the concession enjoyed by Uriyas of paying fees at half the standard rates in institutions under public management.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

XI. (*a*) Is it a fact that Deputy Tahsildars who exercise civil as well as criminal jurisdiction in Agency tracts are mostly ignorant of civil law, having only passed the required Revenue and Criminal tests like ordinary Deputy Tahsildars?

(*b*) If so, will Government be pleased to order such officers to pass the Civil test also before they are allowed to exercise the powers of District Munsifs?

The Hon'ble Mr. Bradley :—

XI. The circumstances of the non-regulation Agency tracts are special and the Government see no sufficient reason to alter existing practice. Ordinarily the knowledge of civil law required for the disposal of disputes among the hillmen of these tracts is of an elementary character. With the exception of a very few sections, the Code of Civil Procedure is not in force; and the Judge is required to dispose of suits in accordance with "equity and good conscience".

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

XII. Will Government be pleased to consider the desirability of appointing non-official vice-presidents for the Ganjám and Vizagapatam District Boards?

The Hon'ble Mr. Bradley :—

XII. The Government will be pleased to appoint non-officials as vice-presidents of the District Boards of Ganjám and Vizagapatam if competent men should be found willing and able to devote the necessary time to the duties of the post.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

XIII. Will Government be pleased to state whether Secretaries to the various Municipal Councils appointed under the District Municipalities Act (IV of 1884 amended by Act III of 1897) have generally proved useful as a body?

The Hon'ble Mr. Bradley :—

XIII. With some exceptions Municipal Secretaries have proved to be useful public servants.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

XIV. (*a*) Will Government be pleased to consider the desirability of opening a veterinary hospital at Vizagapatam, for which there has been a long-felt want in the district?

(*b*) If Government consider for any reason that such a hospital cannot, at present, be opened, will they be pleased to appoint a veterinary Hospital Assistant for the district where cattle diseases prevail largely, often attended with disastrous results?

The Hon'ble Mr. Bradley :—

XIV. The Government have sanctioned the proposal of the Vizagapatam District Board to open a veterinary dispensary at Vizagapatam. Provision has been made in the budget estimate of the District Board for 1907–1908 for the necessary establishment.

The Hon'ble Raja V. Virabhadra Razu Bahadur :—

XV. (*a*) Referring to the answer given to Question No. I (*a*), (*b*) and (*c*) put by the Hon'ble Mr. K. R Guruswami Aiyar at the meeting of the Legislative Council, dated 6th April 1906, will Government be pleased to state whether the report called for from the Registrar of Co-operative Credit Societies has been received?

(*b*) If so, do Government propose taking any steps to put an end to the provident societies referred to in the question, and to prevent the coming into existence of new ones?

The Hon'ble Mr. Bradley :—

XV. (*a*) The question is still under investigation by the Inspector-General of Registration. not the Registrar of Co-operative Credit Societies, and no report has yet been received on the subject.

(*b*) The Government are doing their best to put down fraudulent provident societies. K. K. Bose, Manager of the Calcutta Provident Institution, has been prosecuted and convicted of cheating and criminal breach of trust in three cases at Mercara and sentenced to $4\frac{1}{2}$ years' rigorous imprisonment and a fine of Rs. 2,500. Another case against him and the proprietor and originator of the institution is pending before the Criminal Courts at Rajahmundry.

When the report of the Inspector-General of Registration has been received the question whether it is desirable to propose legislation on the subject will be considered.

The Hon'ble M. Krishnan Nayar :—

XVI. With a view to securing greater discipline and efficiency in working in the process departments of the Munsifs' courts in the Presidency, will the Government be pleased, after consultation with the High Court if necessary, to vest the District Munsifs with the powers of appointing, punishing and dismissing the process-servers subject, however, to a right of appeal against the orders of the Munsifs to District Judges?

The Hon'ble Mr. Bradley :—

XVI. The attention of the Honourable Member will be drawn to section 23 of the Madras Civil Courts Act under which District Munsifs appoint, suspend or remove from office the ministerial officers of their courts subject to the control of the District Judge. Process-servers have been held by the High Court to be ministerial officers within the meaning of section 23 of the Act. The Government see no sufficient reason to propose an alteration of the existing law.

The Hon'ble M. Krishnan Nayar :—

XVII. Will the Government be pleased to state whether they have now received the original petitions, referred to in Question No. XXIV asked at the meeting of this Council on the 22nd January 1907, of the clerks of the Madras Stationery office from the Superintendent of Stationery, Madras, and what consideration the Government have bestowed on these petitions?

The Hon'ble Mr. Bradley :—

XVII. The original petitions have been received and the Government have intimated that they are prepared to raise the minimum pay of the clerical establishment in the office of the Superintendent of Stationery to Rs. 20 per mensem and to reorganize the scale of the establishment. The Government do not consider that the grant of a local allowance is called for in the case of typists employed in the Stationery office.

The Hon'ble M. KRISHNAN NAYAR :—

XVIII. (a) Has the attention of Government been drawn to a letter under the heading of "Feeding channel for Vilatikulam tank and the Public Works Department" published in the *Standard* newspaper of the 16th March 1907 ?

(b) Will the Government be pleased to sanction the construction of a feeding channel for the tank from the Vaipar river at the estimated cost of Rs. 19,600 before the larger scheme of Mr. L. D. Venkatarama Aiyar at an estimated cost of Rupees 2,80,000 is taken into consideration ?

The Hon'ble Mr. Wilson :—

XVIII. (a) Yes.

(b) The question as to whether the smaller estimate should be sanctioned before completing the investigation of the larger scheme is receiving the attention of the Superintending Engineer, who promises a further report on this subject. Until its receipt Government are not in a position to give an opinion.

The Hon'ble M. KRISHNAN NAYAR :—

XIX. (i) Will the Government be pleased to state—

(a) whether there is a printing department in the Cannanore central jail ?

(b) how long the department has been in existence ?

(c) whether convicts are employed in the working of the department ?

(d) whether the department, in addition to Government work, executes orders from private individuals ?

(e) whether private orders are received by the department from Malabar and from other parts of the Presidency including Native States and the French possession of Mahé ?

(f) what are the rates collected by the department as printing and binding charges ?

(ii) Will the Government be pleased to lay on the table a statement showing the number of private orders for printing and binding executed by the department, and the amount realised by the execution of such orders during the last three years ?

(iii) Will the Government be pleased to issue the necessary orders for putting a stop to this competition of convict labour with free labour and restricting the operations of the department to the execution of Government work exclusively ?

The Hon'ble Mr. Bradley :—

XIX. (i) (a) & (c) The answer is in the affirmative.

(i) (b), (d), (e), (f) & (ii) The Government have no information on these matters, but will call for it.

(iii) It is the policy of Government that jail industries should not compete in the open market with private enterprise. In accordance with this policy the Government disallowed the purchase for Cannanore jail of a new press in January 1906. They have no information as to the amount of work done by the press in the jail for private parties or the open market, but will call for a report.

The Hon'ble M. KRISHNAN NAYAR :—

XX. (a) Will the Government be pleased to state whether it is in contemplation to introduce a system of periodical destruction of such of the records in the registration offices as are supposed to have satisfied the law of limitation for the institution of suits based on them ?

(b) Having regard to the importance attached by the people and the courts of law in the country to registered documents, will the Government be pleased to see that the contemplated system of destruction is not introduced ?

The Hon'ble Mr. Bradley :—

XX. No system of periodical destruction of Registration Records is under the consideration of Government at present.

The Hon'ble K. R. GURUSWAMI AIYAR :—

XXI. (a) Is it a fact according to information available to Government that of late years the prices of one and all of the prime necessaries of life have risen considerably everywhere in the Presidency and especially in Madras ?

(*b*) Is it a fact that in Bengal and elsewhere special allowances have been sanctioned for clerks in public offices on account of the rise in prices?

(*c*) Will Government be pleased to state if they do not consider that the rise in prices causes real hardship in the case of clerical and other subordinates on low pay?

(*d*) Have Government granted any allowance or increase of pay to any class of their employés as such on account of the rise in prices and if so to whom, and on what grounds?

(*e*) Will Government be pleased to sanction special allowances in the case of such subordinates in receipt of Rs. 35 or less at Madras and Rs. 25 or less in the mufassal?

The Hon'ble Mr. Cardew :—

XXI. (*a*) The Honourable Member is referred to the publication of the Government of India entitled "Prices and Wages in India" which shows the average price of the chief food-grains in the various districts of India for quinquennial periods. From the figures there given the Honourable Member will observe that the average price of the main food staples, rice, cholam, cumbu and ragi, was lower in the Madras Presidency during the quinquennium, 1901–1905, than in the previous period of five years, 1896–1900. Prices are at present high, but it is not yet shown that this is other than a temporary rise.

(*b*) *to* (*e*) The Government have not granted any allowances on account of dearness of provisions to any class of officer and they do not propose at present to do so. They have no information as to whether any special allowances have been granted in Bengal or elsewhere, but they observe that even it were shown that such allowances have been given in other parts of India, it would not necessarily follow that they are called for in Madras. In Bengal and in some other provinces famine conditions have prevailed and 44,632 people were on relief in Bengal a few weeks ago. No such conditions prevail or have prevailed in Madras.

The Hon'ble K. R. Guruswami Aiyar :—

XXII. (*a*) Have Government received a memorial from the residents and landholders of Panaji and four other villages in Uppinangadi taluk and Nellanije and another village in Kasaragode taluk in the district of South Canara praying for the exclusion of certain tracts from the proposed Bantage reserve forest, block No. 157, for the exercise of their accustomed communal rights and privileges?

(*b*) Will Government be pleased to consider the prayer of the memorialists favourably and direct the necessary exclusion?

The Hon'ble Mr. Cardew :—

XXII. A petition resembling generally the memorial referred to in the question was received in January last, and as the representations it contained were matters to be dealt with by the Forest Settlement Officer, the petitioners were directed to prefer their claims to him. The Government have not yet received the final report on the Forest Settlement Officer's proceedings. When it is received, the representations of the petitioners will be duly considered.

The Hon'ble K. R. Guruswami Aiyar :—

XXIII. (*a*) Have Government received a memorial from some rate-payers resident in the Madura Municipality complaining of the construction of a central market having been given on contract to one of the councillors and making other serious allegations against that councillor and some others?

(*b*) Has the Collector accorded his sanction to the entrustment of the work to the councillor-contractor?

(*c*) Have Government satisfied themselves that there were no irregularities such as have been complained of or otherwise, and that in the interests of the Municipality the course of giving the contract to a councillor was necessary in this case?

(*d*) Will Government be pleased to state how the question raised has been disposed of?

The Hon'ble Mr. Bradley:—

XXIII. A memorial was received from certain persons in Madura complaining of the administration of Municipal affairs in that town, but that memorial made no complaint as regards the contract for the construction of the central market. The Municipal Council, Madura, in its resolution No. 755, dated 10th December 1906, resolved that the contract for the construction of a central market at Madura should be given to a Municipal councillor and that the permission of the Collector of the district under section 260, District Municipalities Act, be obtained therefor. The Collector declined to grant the permission asked for. The resolution of the Council was not supported by the Chairman.

The Hon'ble K. R. Guruswami Aiyar:—

XXIV. (*a*) Has Government's attention been drawn by the Collector and District Magistrate of Madura or the Political Agent for the Pudukkóttai State to a petition addressed to the former by S. R. M. M. S. T. Chidambaram Chettiyar of Kanadukathan in the Madura district on the subject of the assumption of jurisdiction over the village of Thammanai by a third-class Magistrate of that State in C.C. 3 of 1906?

(*b*) Have Government come to a decision, and if so what, on the question of jurisdiction over the village, and if not will they be pleased to take steps to stay the trial of Chidambaram Chettiyar and the other accused who are British Indian subjects in the said case before a decision is arrived at?

The Hon'ble Mr. Bradley:—

XXIV. The Government have no information on the subject.

The Hon'ble K. R. Guruswami Aiyar:—

XXV. (*a*) Has the Government's attention been drawn to the numerous complaints, criticisms and suggestions contained in the journals noted below on the grievances of the Medical department in this Presidency:—

12–20.

1.	The Indian Medical Record	24th August	1904
2.	Do.	5th October	„
3.	The Madras Mail	25th „	„
4.	Do.	28th „	„
5.	Do.	29th „	„
6.	Do.	28th January	1905
7.	Do.	7th February	„
8.	The Antiseptic	December	1904
9.	Do.	January	1905
10.	Do.	October	„
11.	Do.	January	1906
12.	The Madras Standard	16th October	„
13.	Do.	16th „	„
14.	Do.	28th December	„
15.	The Hindu	19th August	1905
16.	Do.	11th October	„
17.	Do.	24th January	1906
18.	Do.	5th February	„
19.	Do.	14th March	„
20.	Do.	14th April	„
21.	Do.	24th „	„
22.	Do.	3rd October	„
23.	Do.	22nd December	„
24.	Do.	28th „	„
25.	Do.	1st January	1907
26.	Do.	27th February	„
27.	The Madras Weekly Mail	23rd „	1905

and several more?

(*b*) Have Government received copy or copies of an anonymous pamphlet headed "Madras Civil Medical department" which appears to have been widely distributed to numerous officers of Government and public men in the Presidency?

(*c*) Are Government in a position to state if the bitter complaints in the Press and the serious allegations in the pamphlet are well or ill founded and if not will they be pleased to order a thorough investigation by the Surgeon-General or by an officer from outside his department and place the result of such investigation on the table?

(*d*) Is it a fact that Mr. Ghulam Muhammad Sahib, Khan Bahahur, the manager of the Surgeon-General's office, is already over 56 years of age with 34 years' service in his favour?

(*e*) Has he had any extension of service hitherto and will Government be pleased to state if it is intended to allow him any further extension and if so on what special grounds? If he is not to be allowed an extension, will Government be pleased to direct that fresh blood be introduced into the staff of the Surgeon-General's office to be in ministerial control thereof?

(*f*) Will Government be pleased to consider the desirability of appointing officers of considerable district experience to the post of Personal Assistant to the Surgeon-General?

(*g*) Will Government be pleased to consider the advantage of making transfers in the Medical department at longer intervals than in other departments?

(*h*) Will Government be pleased to prescribe the number of years within which the various grades of Medical officers and the territorial spheres beyond which Medical subordinates may not be transferred except on personal or extraordinary public grounds?

The Hon'ble Mr. Bradley :—

XXV. (*a*) & (*b*) The answer is in the negative.

(*c*) The Government cannot take the action suggested upon anonymous communications.

(*d*) The answer is in the affirmative.

(*e*) The manager has had already an extension of service but it is not intended that any further extension should be allowed.

(*f*) The Government cannot make any general pronouncement on the subject.

(*g*) & (*h*) There are no proposals before the Government in connection with the matters referred to in these parts of the question.

The Hon'ble K. R. Guruswami Aiyar :—

XXVI. (*a*) Have Government received any communication complaining that Mr. Noor Muhammad, the civil apothecary in Tondi in the Madura district, has overburdened himself with too many duties, such as to prejudice the proper performance of his main function?

(*b*) Is it a fact that besides his duties as medical officer in the station he has undertaken the work of—

(1) assistant superintendent of immigration in behalf of the Ceylon Government,

(2) health officer to inspect the vessels of the British India Steam Navigation Company touching that port and grant health certificates to persons embarking therefrom on board their boats,

(3) weekly visitor of the jail at Tiruvádánai,

(4) Agent of the Ceylon Labour Commission, and

(5) private practice?

(*c*) Have the Government sanctioned the combination of so many functions in the same officer and if not, will they enquire into the matter?

The Hon'ble Mr. Bradley :—

XXVI. (*a*) A copy of an anonymous petition appears to have been received in the Secretariat in November last on the subject mentioned but as it was anonymous no notice was taken of it.

(*b*) Except as regards the Agency of the Ceylon Labour Commission, regarding which the Government have no information, the answer is in the affirmative.

(*c*) The Government do not propose to issue any directions in the matter.

The Hon'ble K. R. Guruswami Aiyar :—

XXVII. With reference to the notification recently published under orders from Government *in re* the enforcement of the provisions of the Stage Carriages Act to conveyances plying between Ammayanáyakkanúr and Krishnama Naik Tope, it is complained in the Press—

(*a*) that the number of carriages licensed is unduly small, so that the hire has become unduly high ;

(*b*) that the carriages in Batlagundu and other villages on the way, which ply either westwards to the Tope or eastwards to the Railway station and generally for distances within 12 miles, have been needlessly brought under the hardship of the restrictions imposed by the Act ;

(*c*) that in the case of conveyances drawn by bulls which cover the whole distance without undue strain the licensing system has been needlessly introduced ; and

(*d*) that the limit of 8 miles' distance for providing relays is unduly low and might be 12 miles (the distance between Batlagundu and Ammayanáyakkanúr).

Will Government be pleased to call for a report from the District Magistrate of Madura on the working of the Act in the locality aforesaid and make suitable modifications so as to obviate the hardships pointed out ?

The Hon'ble Mr. Bradley :—

XXVII. The District Magistrate has already been instructed to report on the working of the Act after it has been in force for a year. Any complaints as to the manner in which it is being worked should be laid before the District Magistrate.

The Hon'ble K. R. Guruswami Aiyar :—

XXVIII. With reference to my Question No. VII series put at the meeting of the 13th November last on the treatment of Indian coolies in Natal and another question on the same subject No. XXX put at the last meeting, will the Government now be pleased to answer the several parts thereof ?

The Hon'ble Mr. Bradley :—

XXVIII. The Government have received the information asked for by the Protector of Emigrants from the Protector of Indian Immigrants, Natal, regarding the alleged overcrowding on the S.S. *Umfuli* on her return voyage to India in September last. The Port Captain at Durban admitted that a larger number of return emigrants was shipped on the vessel than she was entitled to carry by the law which he considered applicable. Under instructions since issued by Government, the Protector of Emigrants now forwards with every emigrant vessel sailing for Natal a copy of the final survey certificate issued at Madras. This certificate shows the number of emigrants the vessel is entitled to carry according to Indian law and serves as a guide to the Port Captain, Durban. The correspondence has been forwarded to the Government of India for consideration ; and it is not deemed necessary to appoint a commission of inquiry, or to propose the appointment of an Indian official in Natal as Protector of Emigrants in addition to the officer appointed to discharge those duties by the Government of Natal.

The Hon'ble K. R. Guruswami Aiyar :—

XXIX. Is it a fact that Mr. A. M. Slight, I.C.S., Sessions Judge of Trichinopoly, commenced the trial of a case against a postal servant for forgery and breach of trust late in the evening on the 11th March 1907, absented himself from court on the 12th, 13th, 14th and 15th idem, attended court and resumed the trial at 3 P.M. on the 16th idem and again absented himself on the 18th, 19th, 20th and 21st idem, while the assessors, witnesses and others concerned were detained from day to day from 11 o'clock in the morning until 5 o'clock in the evening without any intimation, whether the judge would go to court or not; that though the 15th was a gazetted holiday being the Telugu New Year's day, yet they were asked to attend and detained, the judge however failing to come to court; that six or seven other persons were also detained all the time for the purpose of selection as jurors in another case against an old offender which stood posted to the 12th idem and had to stand over from day to day; and that there were public servants and business men also among the persons so detained?

Will Government be pleased to state what led to the judge's continuous absence and his failure to intimate when the persons wanted for the case should attend, and what notice, if any, Government have taken or intend taking of Mr. Slight's method of attending to sessions trials?

The Hon'ble Mr. Bradley :—

XXIX. Mr. Slight has been and is still ill; he was to appear before the Medical Board on Saturday the 30th March but was too unwell to do so. Another officer was posted as District and Sessions Judge in relief of Mr. Slight as soon as the Government learned the circumstances of his continued inability to attend to his duties.

The Hon'ble K. R. Guruswami Aiyar :—

XXX. Will Government be pleased to call for the opinion of the High Court and consider the desirability of amending the Civil Courts Act so as to make the powers of Munsifs and Sub-Judges over their subordinates more real and effective?

The Hon'ble Mr. Bradley :—

XXX. The Government have had no cause to suppose that the power conferred on District Judges by section 23 of the Madras Civil Courts Act has led to practical inconvenience. The Government are not prepared to take the steps suggested by the Honourable Member.

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

The Secretary reported that the Madras Motor-vehicles Act, 1907, and the Madras Hill Municipalities Act, 1907, which had been passed into law at the meeting of the Council held on the 22nd January 1907, received the assent of His Excellency the Governor on the 15th February 1907.

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

His Excellency the President :—I have the honour to announce that the Madras Motor-vehicles Act, 1907, and the Madras Hill Municipalities Act, 1907, received the assent of His Excellency the Governor-General on the 7th and 11th March 1907, respectively.

COMMUNICATIONS FOR THE COUNCIL.

The Secretary reported the receipt of the following communications on the subject of the Madras Estates Land Bill, 1905:—

(1) From the Zamindar of Ettiyapuram, Tinnevelly district, dated 5th January 1907.

(2) From the Madras Landholders' Association, dated 4th February 1907.

(3) From the ryots of Siddhantam and seventy-two other villages in the Kistna district, dated 10th February 1907.

(4) From the Maharaja of Bobbili, K.C.I.E., dated 1st April 1907.

THE MADRAS CITY POLICE (AMENDMENT) BILL, 1907.

The Hon'ble Mr. G. S. Forbes, in introducing the Bill to provide for the control, by the Inspector-General of Police, of the administration of the Madras City Police, and in moving that the Bill be read in Council, said :—Your Excellency, I have now the honour to introduce the short Bill which is on the table, and which has been published for the prescribed period, to provide for the control, by the Inspector-General of Police, of the administration of the Madras City Police. The Madras City Police Amendment Bill is a very simple Bill and there is very little for me to say on it. The reasons for the legislation are fully stated in the Statement of Objects and Reasons. It merely carries out a portion of the reorganisation scheme, which has been sanctioned by the Secretary of State, so far as it applies to the City of Madras. The object of the present Bill is to enable the City Police and the District Police to co-operate together in a way that has not always been found possible till the present moment. In many cases there has been a good deal of friction between the two forces in pursuing criminals and following up crime. The present Commissioner of Police is already created Deputy Inspector-General of Police, but that is for purposes of pay, etc. At the present moment, he is the Commissioner under the present Act. Under the proposed Bill, he will become a subordinate of the Inspector-General of Police, who will have control over the whole Presidency. That is, the Government, under whom the Commissioner has been serving, will hereafter place the Inspector-General between them and the Police officer in charge of the City. I do not think, Sir, that it is necessary for me to say anything more, except to move that the Bill be read in Council.

The Hon'ble M. Krishnan Nayar seconded the motion.

The motion was put to the Council and agreed to.

The Secretary then read the title of the Bill.

The Hon'ble Mr. G. S. Forbes :—In the ordinary course, a Bill, if it is important, goes to the Select Committee after its introduction, under Rule 34 of the Council Rules. We shall have to decide whether this Bill should be referred to a Select Committee or not. The Bill is of a very simple nature, and the amendment which I wish to propose later on is merely of a formal character. I therefore beg to move that the Bill be not referred to a Select Committee.

The Hon'ble Mr. M. Hammick seconded the motion.

The motion was put to the Council and agreed to.

The Hon'ble Mr. G. S. Forbes :—I beg to move that the operation of Council Rule 46 be suspended, in order that the Bill may be taken into consideration at once, and passed into law.

The Honourable the Officiating Advocate-General seconded the motion.

The motion was put to the Council and agreed to.

Clause 1.

Clause 1 was allowed to stand part of the Bill.

Clause 2.

The Hon'ble Mr. G. S. Forbes :—With reference to clause 2, I beg to propose the amendment which stands in the notice paper that in line 20, for the words "subject "to" the word "under" be substituted, and in line 22, between the words "Presi-"dency of Madras" and "provided" the words "subject to any rules that may be "made under section 3" be inserted. These amendments are verbal, and are made in order to carry out the object of clause 3, which I propose to add to the Bill. When this Bill was first drafted, the idea was that it should be a purely temporary Bill, because the Government of India, in connection with the reorganisation of the Police, have inserted in a Bill of their own a clause similar to this, but that Bill has been delayed and there is no reason why we should delay our reorganisation on that account. When we thought of introducing a Bill of a temporary character, we were advised that clause 2 would be sufficient. But it was afterwards suggested that when this Bill becomes law, the Government of India would probably omit from their Bill, if proceeded with, the provisions relating to Madras and that it would be as well to make our legislation complete at once, and include as in the Bill of the Government of

India a provision that the control of the Inspector-General of Police over the Commissioner, who will be his Deputy Inspector-General, should be subject to rules made by the Local Government. The Commissioner of Police has many more duties than those of an ordinary Deputy Inspector-General of Police in the mufassal. As the Bill stands, clause 2 of the Bill makes him subject to the control of the Inspector-General, in so far as he is under the control of the Local Government. The object of the amendment is to enable the Local Government to make rules to regulate the exercise of the powers of control and direction, conferred on the Inspector-General of Police by clause 2, in respect of the Commissioner of Police.

The Hon'ble Mr. M. Hammick seconded the amendment.

The amendment was put to the Council and agreed to.

The Hon'ble M. KRISHNAN NAYAR :—I have some doubt with reference to the proviso. The object of the Bill is to place the Inspector-General between the Government and the Commissioner. The existing Act III of 1888 makes the Commissioner of Police subordinate directly to the Government of Madras, and that subordination is sought to be taken away by this Bill, and the Commissioner is to be made subject to the Inspector-General, instead of to the Government. Seeing that that is the object of the Bill, I do not understand quite well what is the object of the dual control contemplated by the proviso. As it is, by the proviso the Commissioner is responsible not only to the Government, but also to the Inspector-General of Police. Till now he has been directly responsible to Government. Even after the passing of this Bill, the Commissioner of Police is made subject to the control of the Government. I do not understand why this dual control is retained.

The Hon'ble Mr. G. S. FORBES :—The dual control will certainly continue in certain respects. He will not be subject to the Inspector-General, as an ordinary Deputy Inspector-General of Police in the mufassal will be, but he will be subordinate to the Inspector-General, subject to certain rules expressly made by the Government. In certain matters the duties of the Commissioner are much wider than those of a Police officer, and we were advised that this draft carries out our intention.

The Honourable the Officiating ADVOCATE-GENERAL :—Under the existing law, the Commissioner of Police is not declared generally to be subject to the control of Local Government, and it is only in regard to the exercise by him of certain functions specified in two or three sections that he is made subject to the control and direction of the Local Government. In regard to other matters he is not declared to be subject to any authority. It is to prevent the dual control and the conflict between the exercise of control by two authorities that the proviso is put in. The object of additional section 3 is that the power and control conferred upon the Inspector-General might also be limited and defined by rules to be framed by the Local Government.

Clause 2 as amended was allowed to stand part of the Bill.

Clause 3.

The Hon'ble Mr. G. S. FORBES :—I beg to move, for the reasons that I have just stated, that the following be added as clause 3 :—

"It shall be competent to the Local Government to make rules to limit and "regulate the exercise of the powers of control and direction conferred on the "Inspector-General of Police by section 2 in respect of the Commissioner of Police "for the City of Madras."

12-40 P.M. The Honourable the Officiating Advocate-General seconded the motion.

The motion was put to the Council and agreed to.

Title and Preamble.

The title and the preamble of the Bill were next put and agreed to.

The Hon'ble Mr. G. S. FORBES :—I beg to move that the Bill as amended be passed into law.

The Hon'ble B. Narasimheswara Sarma seconded the motion.

The motion was put to the Council and agreed to.

FINANCIAL STATEMENT.

The Hon'ble Mr. G. S. FORBES, in explaining the annual Financial Statement of the Government of Madras for the year 1907–1908, said :—Your Excellency, I have now the honour to present to the Council the Financial Statement for the year 1907–1908. The memorandum, explaining in some detail, the nature of the entries in the Financial Statement, has been in the hands of Honourable Members for about a fortnight. I think this is a somewhat longer period than usual, and I hope that it has not been insufficient for Honourable Members to study the figures. The memorandum itself is also more in detail than usual.

Before referring to the various specific heads under which our income and expenditure are arranged and offering such explanations as may seem required, I will first state shortly the general financial position in which we stand at the end of the year 1906–1907 as certified by the revised estimates of that year and give a general view of what we have estimated the income and charge for the current year.

The total income of 1906–1907 on the revised estimates comes to 579·28 lakhs, made up of 491·19, current revenue and receipts of the year, *plus* an opening balance of 88·09. This total of 579·28 is better than the budget estimate by about 19¼ lakhs, due first to an improvement of 6¼ lakhs in the opening balance of the year, secondly to additions to our fixed assignment of 5½ lakhs made by the Government of India, and thirdly to the betterment of the current revenue by 7½ lakhs over the budget anticipation. Compared with the previous year 1905–1906, the growth of the ordinary heads of current revenue (*i.e.*, exclusive of fixed assignments and adjustments) may be put down at about 18 lakhs during the year which has closed.

The total expenditure of the same year 1906–1907, on the revised estimates, just exceeds 476 lakhs, being 15 lakhs less than the expenditure budgeted for, but nevertheless 60½ lakhs higher than the actuals of 1905–1906. The expenditure, it will be observed, falls by 15·17 lakhs within the current income and avoids the need of trenching on the balance. Thus the outstanding facts of the financial situation during 1906–1907 as compared with 1905-1906 appear to be the growth of ordinary revenue by 18 lakhs, the enhancement of income by additional assignments from the Government of India of 55½ lakhs and an expenditure higher by 60½ lakhs.

For the year 1907–1908 we budget for an opening balance of 103·26 lakhs; for a current income of 489·8 lakhs, inclusive of 153·20 derived from fixed assignments and adjustments made by the Supreme Government; and for a total expenditure of 505·5 lakhs, and so close with a reduced balance of 87·5 lakhs. The total expenditure budgeted for exceeds, as will be observed, the current income of the year by 15¾ lakhs, and to that extent the estimates draw upon the balance.

Turning now to the major heads of the budget, the first and most important is Land Revenue. As has been repeatedly explained in this Council that portion of our income which is derived from fixed assignments made by the Government of India in supplement of Provincial and shared heads of revenue enters the estimates through the Land Revenue head. As Honourable Members are aware, the original fixed assignment was 59·66 lakhs. In 1906-1907 it had by successive additions grown to 161·12 lakhs or 101 lakhs over the original assignment. In 1907–1908 the total of the assignments has been budgeted at 153·32 or 7·80 lakhs less than in the previous year. The causes of the reduction are fully set out in the memorandum and I need not repeat them in detail, but the main items are the exhaustion of the grant to the Madras Port Trust and the fact that credit has not been taken for the special grant for tank restoration works; while we receive an extra lakh for the police reorganization schemes and 2·50 lakhs in connection with the Famine Insurance scheme.

The growth of the fixed assignments brings me to a subject upon which the Hon'ble Mr. Stokes dwelt last year in introducing the Financial statement, that is, the difficulties which this mode of enlarging our income involves us in. When a head of service is reorganised so as to entail in ordinary course a progressive demand on the revenues, it is only fair and reasonable that the provision for its maintenance should be made by the grant of a share of some growing head of revenue and not by a fixed and unalterable assignment. The settlement was made on the basis of certain normal conditions existing at the time, allowing for expansion on that basis; but if the conditions are substantially changed, the ground of the settlement is cut away and a fixed addition to income will not enable the local Government to continue the service on the new lines except to the direct prejudice of other services. The Supreme Government may no doubt justifiably aid the local Government by fixed additions to the

Provincial income to enable the local Government to discharge the obligations they have undertaken under the settlement in a fuller, more rapid and satisfactory manner, provided the expenditure therefrom does not enlarge those obligations beyond the actual amount expended as for instance in enabling the local Government to assist the University or by fixed additions that involve expenditure which is in itself productive, such as tank restoration, or by grants that are to be spent as capital expenditure on buildings or the like. But in the case of a service or a head of expenditure the burden of which has been materially enhanced since the settlement, and not then contemplated, it is only right and proper that Provincial income should be reinforced as I have said by a share of growing revenue. Even in those cases in which fixed grants are not objectionable, the greatest care has to be taken that expenditure is not incurred unwittingly which may throw on the Provincial finances eventual obligations that they may not be able to fulfil.

Similar principles apply to large balances, the employment of which is beset with traps for the unwary. The last two years have been years of large balances and large assignments. If Honourable Members are disposed to think that we might have made more use of our balances, I beg they will bear in mind the pitfalls and dangers to which I have referred and against which last year the Hon'ble Mr. Stokes also gave a caution.

Turning to ordinary LAND REVENUE receipts, of which the Provincial share is a quarter, it will be seen, on page 4 * of the memorandum, that for 1906–1907 the total ordinary land revenue receipts are $9\frac{1}{2}$ lakhs better than anticipated, attributable as stated in the memorandum to the prevalence generally of a good season and to the existence of a larger arrear balance at the beginning of the year than was anticipated. On the other hand, the budget estimates contemplated the introduction of the new resettlement rates into portions of Salem, Kurnool, Tinnevelly, Nellore and Cuddapah; but this was not done except in Nellore and in certain parts of the Salem and Kurnool districts. A slight reduction was due to the transfer in the Salem district of the December kist to April, thus bringing the collection into the accounts of the current year. The variations between the budgeted and revised estimates of that year are otherwise explained in the memorandum.

Turning now to the forecast for the current year 1907–1908, ordinary land revenue has been taken at 5 lakhs better than the revised estimate of 1906–1907. This amount represents the estimate of enhanced revenue due to resettlements in portions of the districts of Cuddapah, Kurnool, Tinnevelly and Nellore.

For 1907–1908 we budget for an expenditure of $4\frac{1}{2}$ lakhs more than in the revised estimate of 1906–1907, but the increase is mainly in the employment of larger establishments on Survey and Settlement and in the Land Records and Agriculture Department. The full sanctioned staff of Inspectors of Land Records and Deputy Surveyors will, it is hoped, be entertained; and there are various allotments for increasing the pay of karnams, talaiyaris and other village officers in certain tracts. Revenue staff is to be employed on revision survey or resurvey in the districts of Ganjám, Kurnool, Cuddapah, Chingleput, Coimbatore and Tinnevelly.

A lump provision of one lakh has been entered to meet expenditure on account of the new district and divisional charges which, it is hoped, may be sanctioned some time before the close of the year. The allotment does not of course represent the total expenditure which the redistribution will entail and is more or less formal. The Government of India have promised that the expenditure as finally determined will be met by a readjustment of the settlement. With the special approval of the Government of India, a memorandum is under issue, which will be furnished to Honourable Members and placed at the disposal of the Press, describing the changes which are under the consideration of the Supreme Government. If the scheme as a whole is sanctioned, it will still be open to the local Government to propose or introduce minor readjustments which experience or further consideration may show to be required. But the main point is to have the general scheme sanctioned. It has long been admitted on all hands that the efficiency of executive administration daily becomes more complicated and onerous, and demands a stronger staff of district, divisional and taluk officers. In connection with the operation of this scheme, the Government of India asked for proposals for the regrading of the Indian Civil Service; and these proposals were duly submitted in 1905.

* 133 *infra.*

An important scheme which falls to be noticed here is that by which it is sought to relieve the local Government of the total cost of famine relief measures. This is a subject on which we have made representations to the Supreme Government on many occasions, and we are grateful to that Government for the new scheme. It has been so fully described by the Hon'ble Mr. Baker in his Financial Statement, the relevant portions of which will be found set out on page 6 * of the memorandum which is in the hands of Honourable Members, that it is unnecessary to do more than refer to it. I think we have a fair ground of complaint in respect of the inadequacy of the provision made for this Presidency. But I am glad to say that the Hon'ble Mr. Baker in speaking on the budget on the 27th March in the Imperial Legislative Council admitted that the figures were empirical and that if in practice they were found to be unsuitable the Government of India would not hesitate to revise them. So we may take comfort from these assurances that Provincial revenues will receive fair treatment if the provision now made should prove substantially inadequate. Perhaps I may add that the arrangement is entirely financial and that the question whether the burden falls or should fall upon Provincial or upon Imperial revenues has not made and never will make any difference to the active discharge of the obligation which the British Government recognizes of relieving famine and distress.

STAMPS is the next major head. In this we share both the income and the charge to the extent of one half. It is a steadily growing head of income as the figures in the memorandum show.

SALT is not an item of Provincial revenue. There is a small charge of ·29 on the expenditure side (page 37†) which falls on us and represents a portion of the expenditure on buildings occupied jointly by the combined department of Salt, Customs and Excise. Although the salt revenue is not within the purview of Provincial finance perhaps it may be permissible to congratulate the Imperial Government on the further reduction of the salt tax which they have been able to introduce. There is one class which will, I am sure, specially benefit by the reduction, I mean the agriculturist who has long complained that the price, comparatively small though it was, debarred him from giving his cattle a sufficiency of salt to keep them in good condition.

In EXCISE the Provincial share both of revenue and of expenditure is one-fourth. In 1906–1907 the total receipts are expected to be 12 lakhs better than the budget estimate and 14 better than the actuals of 1905–1906. As explained in the memorandum the increase in the revised estimate was due mainly to the enhancement of the excise duty in the Southern districts and the raising of the duty on ganja and bhang. For 1907–1908 we have estimated for a moderate increase of 7 lakhs under country spirits and toddy which steadily advance notwithstanding the imposition of higher duties. The expenditure budgeted for 1907–1908 calls for no remarks as no material alteration is anticipated.

Under ASSESSED TAXES, of which the Provincial share both of income and charge is one-fourth, we anticipate receipts amounting to 28 lakhs, being a slight advance of three-fourths of a lakh. The Provincial share will be 7 lakhs. The revenue is steadily though not rapidly progressive. The degree of acceleration should be some test of the progress that is being made in arts, industries and commerce.

The next major head is the important head of FORESTS, of which the Provincial share in revenue and expenditure is also one quarter. The total receipts anticipated in 1907–1908 amount to 34 lakhs, our share being $8\frac{1}{2}$. The variations in the figures of the revised and budget estimates of 1906–1907 as well as the main grounds for expecting some enhanced revenue and the chief items upon which increased expenditure is to be incurred are indicated in considerable detail in the memorandum. Departmental working is replacing the private contract and permit system and is not only more economical but proves more beneficial to the forests The extension of this system is the main justification of the anticipated rise in the receipts for which we have budgeted. The expenditure of 1907–1908 is budgeted at $27\frac{1}{2}$ lakhs or two lakhs more than in the previous year. It will be noticed that the total expenditure is 10 lakhs higher than it was four years ago. The extension of departmental working necessarily involves higher charges both under conservancy and works and under establishments. The formation of new ranges in Kurnool, Cuddapah and Gódávari is mentioned in the memorandum. Two much-needed reforms for the benefit of the forest establishments have been provided for; one, to improve the grading and pay of

* 135 *infra.* † 165 *infra.*

the staff of hard-worked rangers imposes an additional charge of Rs. 40,000 a year; the other, the revision of the grading and emoluments of Assistant and Deputy Conservators will cost about Rs. 65,000 a year. Proposals for the employment of Depot Inspectors at a cost of Rs. 7,000 a year are also included in the current estimates.

REGISTRATION is wholly Provincial and gives a steadily growing income. Proposals for increasing and improving the clerical establishments have been under consideration in the circumstances fully explained in the memorandum at page 13 * and have been deferred only till the question of the redistribution of district charges has been settled. If, however, there is likely to be much further delay in the operation of this scheme steps will be taken to introduce the new scales of pay during the current year. The additional cost entailed will probably exceed Rs. 25,000 a year. To meet the convenience of the people new sub-registry offices are being constantly established; six were, I believe, opened in 1906–1907. In order to ameliorate the prospects of the Sub-Registrars, the Government recently sanctioned with effect from the 1st of this month a scheme which will improve their pay and grading. Promotion to the higher grades over Rs. 100 will be not by seniority but by selection of the most capable men. The additional cost of this scheme will be Rs. 20,000 a year.

And with regard to the major heads of INTEREST and GENERAL ADMINISTRATION no special remarks seem called for. The state of the interest account is fully explained in the memorandum. Under GENERAL ADMINISTRATION the figures show little variation in successive years. The need for a Central Record office, for which provision has been made in the current budget, is fully explained in the memorandum.

I now come to the various heads ranked under LAW AND JUSTICE. As to COURTS OF LAW, I regret to say that the Government have not been able to undertake as yet a scheme for improving the pay of Sub-Magistrates, but it is a matter which will receive the early and sympathetic consideration of the Government.

Under JAILS the enhanced expenditure in 1906–1907 over the budget estimate was due to the regrettable increase in the jail population. The current estimates include a provision of ·08 lakh for enhanced pay to the permanent warder establishment, the improvement of whose salaries and grading is under the consideration of the Government.

As to POLICE the police reorganization schemes are being steadily brought into operation. The main directions in which reforms have been, or are being, carried out will be found enumerated on page 18 † of the memorandum and, as Honourable Members know, include the improvement of the pay and prospects of every grade of the force from the constable upwards. But not only do these reforms affect the pay and prospects of the personnel but also embrace measures which will enable the department to deal more effectively with crime and disorder, such as the formation of a special Criminal Investigation Department, the strengthening of the armed police reserves, and the reorganization of the Madras City Police, together with the increase in the staff of superior officers and the creation of the new class of Deputy Superintendents. The general scheme also includes the reallocation in each district of station ranges and inspectors' circles The scheme of reallocation has been completed during the past year with great thoroughness by Mr. Horne, the Inspector-General, whose proposals have been generally accepted by the Government, subject to any minor readjustments that may be found desirable when the redistribution is brought actually into operation.

The total cost which the new schemes will impose upon Provincial revenues is estimated at over 30 lakhs. In 1906–1907 we were able to spend on these objects only about 6 lakhs. All these reforms cannot be introduced at once and some of them depend upon the introduction of the district reallocations which I have just referred to. The enhanced pay of the constables and the payment of the first increment in the case of constables over three years' approved service cost together about $3\frac{1}{4}$ lakhs. The increased salaries of other grades have, however, been disbursed. The payment of the second increment, estimated at about a lakh, has recently been sanctioned. The budget estimates of 1907–1908 under the major head run to $65\frac{1}{2}$ lakhs of which $13\frac{1}{2}$ lakhs, as against the 6 lakhs in 1906–1907, may be taken as representing the enhanced charge on account of the new schemes.

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* 142 *infra*. † 147 *infra*.

The reorganization has entailed upon our income further expenditure on account of police buildings and of quarters for the police required by the reallocation of stations. This appears, however, partly under Police and partly under Public Works charges. In 1906–1907 about one lakh was so expended and in 1907–1908 there are allotments to the amount of about 4 lakhs on this account.

To meet these burdens, the Government of India have so far allowed us 15½ lakhs as a permanent addition to our fixed assignments, and, if I understand aright, intend to provide in this way for the full cost of all the reorganization schemes. I have in my opening remarks indicated the general objections to being financed in this way for a service the cost of which must continue to increase progressively, while our settlement was based on the progressive burden of a much less costly service. The matter is engaging the attention of the Government and such representations as may be required will be made to the Government of India.

The next head on which I shall offer some remarks is EDUCATION. The variations between the budget and revised estimates of 1906–1907 and the effect on the figures of last year and on those in the estimates for 1907–1908 of the reclassification of certain items, are explained in the memorandum. At the top of page 20 * is a statement which I am glad to say is incorrect, that is that there has been a fall in the number of candidates appearing for teachers' certificates examinations: there is a decrease of Rs. 6,500 in the receipts but it is due to the reduction of the fee from two rupees to one rupee.

1 P.M.

The expenditure under the head University comes from the special earmarked assignments made by the Supreme Government which in 1907–1908 will have reached a total of 3·85 lakhs. The grant of 1·05 is to be continued for four years from 1905–1906. Of this recurring grant Rs. 80,000 are primarily designed for the improvement of first-grade colleges under private management to bring their teaching and equipment up to University standard while the remaining Rs. 25,000 are for University administrative purposes proper and the expenses of the inspection of colleges by committees of the fellows. Up to date, only about half a lakh of the assignment has been spent. The Government have only quite recently received the views of the University as to the best mode of utilizing the grant; and their proposals are under the consideration of Government. Meantime a sum of two lakhs has been entered in the estimates to meet the charges of such schemes as may be finally sanctioned. If the cost within the year should exceed that sum it will not be difficult to obtain a reallotment.

The allotment of 2·95 for Government Schools—Special—includes a provision for the reorganization of training schools for primary teachers. The scheme is estimated to cost Rs. 30,000 a year. The sanction of the Secretary of State is shortly anticipated. Further improvements in training schools for secondary teachers are under consideration.

The next important head of educational expenditure is Grants-in-aid. To the amounts shown as direct Provincial grants in the revised estimate of 1906–1907 and the budget estimates of 1907–1908 must be added those portions of items 3 and 4 shown on page 32 † of the memorandum as "Contributions from Provincial to Local" which represent Government grants paid through Local Boards. The remainder of these items includes the special grant of six lakhs, given to this Government by the Government of India in aid of primary education the whole of it in 1906–1907 and the whole of it less 1 lakh in 1907–1908. Of this 1 lakh, ·83 lakh which is shown on page 19 ‡ as "lump provision for primary education" is retained in the Provincial section to meet the cost of schemes connected with primary education which may be carried out by the Government direct and not through Local Boards. As Honourable Members are aware the six lakhs grant was to be utilized in "increasing the normal allotments for primary education inclusive of expenditure on buildings". In 1905–1906 the whole six lakhs, with the exception of the small sum of ·33 lakh assigned as a subsidy to Local Boards to enable them to pay results grants to aided schools, were handed over to local bodies for the purpose of constructing primary school buildings wherever they were wanted. In that year the actual expenditure for this purpose through Local Boards was 5·16 lakhs or 91 per cent. of the grant, and the unspent balance was reallotted in the local budgets to be utilized in 1906–1907. In

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* 149 *infra*. † 161 *infra*. ‡ 148 *infra*.

the distribution of the grant in 1906–1907 a caution was given that buildings must not be carried out in advance of ways and means to maintain the schools and it was also pointed out that the maintenance of existing schools which the restriction of the resources of Local Boards left them unable to continue was a proper charge against the grant. Honourable Members may be interested to know how the sanctioned distribution in 1906–1907 was allotted. The distribution was thus: ·77 lakh for the maintenance of schools newly opened; 1·27 lakhs for furnishing and equipping these schools; ·77 lakh for the completion of buildings commenced in the preceding year; 2·44 lakhs for further new buildings; about ·09 lakh for the maintenance of existing schools; and the balance was paid in lump grants to certain Local Boards whose educational requirements were specially pressing. The sites for new schools have in all cases, it is believed, been selected or approved by the Taluk Boards. In the current year it will be a matter of more importance to make provision out of the grant for placing the new schools in working order than to increase their number. The building programme cannot of course go on indefinitely.

The ordinary Provincial allotment for grants-in-aid is estimated, it will be observed, at a figure slightly below what may be regarded as the normal contribution. The decline may in part be attributed to the introduction of the new Code. Some dislocation is however to be expected from the introduction of a Code which aims at placing education on a sounder basis. In the process some effete institutions must go to the wall, and some persons, few I hope, who received public support, will find their occupation gone. Omelettes cannot be made without breaking eggs. The Code however allows a year of grace; nor even after that period can we hope to put it in full operation in every detail for some time. Trained teachers are not always forthcoming nor is money everywhere available to pay the salaries which the rules contemplate as suitable for masters of various grades.

Reviewing the total expenditure on education from Provincial income in 1906–1907 Honourable Members will see that the revised estimates will amount to $22\frac{1}{2}$ lakhs direct expenditure *plus* $11\frac{3}{4}$ lakhs spent through Local Boards or $34\frac{1}{4}$ in all; and for 1907–1908 we budget for 25·83 *plus* 10·64 lakhs or 36·47 or about two lakhs more than in the year which has expired. If these figures are compared with those of ten years ago it will be seen that the Government now spend on education double or more than double what they did. This expenditure is not, however, the full measure of what is spent on this object from public money since it does not include what is spent by Local Boards and Municipalities out of local rates.

With regard to the estimates under the head MEDICAL I have really nothing further to add to the explanations given in the memorandum. The staff of Deputy Inspectors of Vaccination is being strengthened at a cost of about Rs. 10,000 a year. Considerable amounts were contributed from Provincial revenues towards the Pasteur Institute at Coonoor; and large sums have been allotted for the extension and improvement of the Maternity and Eye hospitals at Madras but these appear in the Public Works estimates.

In the prosecution of the schemes of agricultural and industrial development which find a place under the head of SCIENTIFIC AND MINOR DEPARTMENTS, continuous activity has been shown. In 1904–1905 the actual expenditure accounted for under this head was 7·68 lakhs; it was 8·95 lakhs in 1905–1906; and in the past year the revised estimates show a further advance to 9·13 lakhs. For 1907–1908 we have budgeted for 10·50 lakhs. The various objects to which the expenditure is devoted are fully detailed on page 23 * of the memorandum. Those projects which are of more immediate benefit to the agricultural population fall under the minor head of Experimental Cultivation. The history and present position and prospects of these projects will be found set out in considerable detail on pages 24 † and 25 ‡ of the memorandum. The full-time Director of Agriculture was appointed from October 1906 and will be assisted by various experts as well as by two Deputy Directors and two Assistant Deputy Directors. On the industrial side a full-time Director has also been appointed, under the designation of Director of Industrial and Technical Inquiries, whose duty it will be to develop and improve native industries. The appointment is for a period provisionally of five years.

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* 152 *infra.* † 153 *infra.* ‡ 154 *infra.*

Under MISCELLANEOUS provision is included for the special research into the fishery industry, inland and marine, which is being conducted by Sir Frederick Nicholson. Rs. 10,000 were provided on this account in 1906–1907 and Rs. 43,000 have been entered in the current budget estimates.

No special provision has been deemed necessary for FAMINE I am glad to say. If unfortunately such a calamity should overtake any part of the Presidency it will be dealt with financially under the new system introduced by the Government of India. Honourable Members will see an entry of $2\frac{1}{2}$ lakhs as No. 19 in the list of adjustments on page 5* of the memorandum and a provision of the same amount under the head 36. REDUCTION OR AVOIDANCE OF DEBT on page 37 †.

Under MINOR WORKS AND NAVIGATION the short expenditure in the total grant on minor irrigation works is unfortunate. On tank restoration schemes over six lakhs were however spent.

The expenditure under the head 45. CIVIL WORKS is fully explained in the memorandum. A grant of 5 lakhs to the Madras Corporation is included in the allotment for expenditure by Civil officers in 1907–1908. In the allotment under the head of "Works in charge of Public Works officers" come all grants to municipalities for water-supply and drainage projects and municipal public works which are to be carried out under the supervision of the department. For 1907–1908 there are included the Ootacamund and Madura drainage and the Coimbatore, Salem, Tuticorin and Nellore water-supply schemes.

With regard to loans and grants in 1906–1907 to aid municipalities in the prosecution of sanitary schemes the Government were exceptionally liberal. The budget provision for loans was 5·63 lakhs but only ·93 lakh or about one-third of the amount was utilized by these bodies. Among those of which no portion was taken are included one lakh for the Madura drainage, half a lakh for the Negapatam drainage and half a lakh for the Periyakulam water-supply, nearly a lakh for the Ellore water-supply and Rs. 48,000 for house sites at Coimbatore. These lapses occurred generally, because the urgent applications to which we acceded were made by the municipalities before the schemes were really ready for execution. The loans for the Vellore and Nellore water-supply schemes were however fully utilized as well as that for the Cocanada water-works. Grants to the amount of 7 lakhs appeared in the budget for 1906–1907 and 5·42 lakhs were utilized including the grants for the Vellore, Gudiyáttam and Madras water-supply projects and portions of those for the Ootacamund drainage and the Nellore water-supply. I have given these details with some particularity, because I am anxious to show that the Government and the Financial Department are not at all backward in aiding municipalities with their sanitary schemes.

We have budgeted in the current estimates for grants amounting to 6·50 lakhs and loans to the amount of 4 lakhs—all for mufassal municipalities, while we have included this year as part of the full grants and loans which we have been making to the Madras Corporation for their drainage and water schemes five lakhs under grants and five lakhs under loan.

The only loan to a District Board was to Kistna of 5·17 lakhs for the Bezwada-Masulipatam Railway.

The only other point in connection with the advance and loan account to which I need invite attention is the increase in the advances made to cultivators under the Agriculturists' Loans Acts in 1906–1907 and the larger provision which we propose to make for 1907–1908. Something has been done during the past year to simplify the procedure and one measure which we hope will help to popularize these loans is the appointment of a Special Deputy Collector who will not only facilitate the transactions between the ryot and the treasury but will also give him advice in the matter of well-sinking, the difficulties which arise in connection with which have formed a most serious bar to the ryots' taking advantage of the cheap loans which are available under the Act.

These are all the detailed heads under the budget. The year has been a prosperous one on the whole, though prices of food grains have been high, and, with regard to the coming year, there is an equal hope of its being a favourable one. The Government are often accused, rightly or wrongly, of neglecting the salaries of the more subordinate officials. If Honourable Members have studied the memorandum, they will have

1–20 P.M.

* 134 *infra.* † 165 *infra.*

seen that to a very large extent provision has been made for giving enhanced pay in a large number of departments. A large increase has been provided to improve the pay of village officers. Rupees 40,000 have been allotted for improving the grading and pay of Rangers; Rs. 20,000 for improving the pay and grading of Sub-Registrars; and Rs. 8,000 for enhanced pay to jail warders; and Rs. 25,000 will, if necessary, be found for improving and increasing the clerical establishment of the Registration Department. Besides these improvements, very large benefits have been received by the different grades of the Police from the lowest grade of constable upwards. As I have already said, the question of the pay of Sub-Magistrates will, I hope, receive consideration during the year. There is another class of men, who are certainly unfortunate, teachers in schools. As Honourable Members know, the new Educational rules suggest certain standard rates of salary, which are higher than they now receive. But the Government cannot bring these into operation at once to any large extent for financial reasons and because the qualified teachers for whom the higher rates are designed are not forthcoming. However, during the whole of the year, we have been pressing on the Local Boards the necessity of increasing the salaries of teachers, and we have under consideration proposals for the improved training of teachers and extending the training institutions. I have nothing more to add except to say that I shall be glad to give any further explanations which Honourable Members may desire.

His Excellency the PRESIDENT :—During the past few years it has been customary on the occasion of the Budget Debate for the President to follow up the remarks of the Financial Member by a general review of the administration of the past year. In 1906 the session of the Council took place immediately after my arrival. It was then obviously impossible for me to venture upon any observations regarding the administration of the previous year. During the past twelve months I have endeavoured to the best of my ability to make myself acquainted with the conditions of the Presidency and of the people who live in it, to familiarize myself with the system of administration and to learn something of the many intricate problems with which those who are responsible for the government of this country are faced. I have travelled through many districts meeting all sorts and conditions of men and hearing from them of their aims and aspirations, their difficulties and their needs. I have also had the opportunity of seeing something of the administration in the Native States of Mysore, Cochin and Travancore. The period has been for myself one of education. I hope that my time has not been altogether wasted, but I am deeply conscious of the fact that my education is sadly incomplete. When I look round the room I see many gentlemen here who have spent the whole of their lives in India and not one besides myself who has not spent there many years of his life. It is therefore with some diffidence that I venture to address you on matters of grave public concern; for the problems—social, political and administrative—are sufficiently vast and complex to bewilder a man. If in the few remarks which I make I seem to utter a series of truisms, if I mention to you discoveries which appear to me startling but to you are matters of common knowledge, you will, I know, generously make allowance for the fact that I can only claim a knowledge of the Presidency which is limited by months and not as in your case by years or even decades.

Now, it seems to me that on an occasion such as this there is no advantage in an academic discussion of the nature and constitution of the huge complicated machine to which we apply the general term of "Government". What, I take it, we have to do is to consider whether we are getting a full measure of work out of our engines, to suggest whether here or there some bit of machinery is not obsolete, whether some readjustment is not advisable, whether in some parts additional plant is not necessary, whether in others there is not a superfluity. In a word, how far with the resources at our command are the administrative needs of the country being met?

Coming as a stranger to this country, I am particularly struck by two things: first, by the vast number of the class whom we describe generically as "the lower orders" and secondly by their poverty and low standard of living and yet it is upon the lower classes that the economic prosperity of this country mainly depends the patient millions who toil with the plough or at the well and by their side, though in smaller numbers, the artisans, the petty shop-keepers, the humble professional men of slender means whose daily life is a constant struggle between sufficiency and want.

In the few remarks which I shall make I propose to confine myself to a consideration of what are the administrative needs of these people and how far they are being met. We have to ensure a rapid, economical, honest and efficient conduct of

affairs in every branch of the Civil Service. And it is a matter of constant concern to Government that we should in every department as far as possible offer adequate remuneration for services rendered. A close scrutiny will show that in many of the departments and particularly in the lower grades there have been increases in the emoluments of office. This is particularly noticeable in the Police Department, to the reorganization of which the Honourable Member has alluded, whereby we hope to secure a purer, a more efficient and a more contented body of men.

We have to give to the rising generation the chance of elevating themselves by education to a condition of greater material prosperity and to a higher intellectual plane than that on which they stand to-day. We wish to place within the reach of all the advantages of science and discovery in the development of industry and particularly the development of agriculture which is the main industry on which the welfare of this country depends. Then we have to make provision for what I may term local needs such as communications, hygiene, sanitation, etc., which make all the difference between the comfort and destitution, the happiness and misery, the health and sickness of millions of our fellow-subjects. It is our desire to see the incidence of taxation lightened as far as possible while at the same time our resources are not so crippled as to reduce our ability to carry out a constructive programme in the directions which I have indicated. Among the remissions of taxation we can point to the withdrawal of the village service cess and more recently the reduction in the salt tax which should together afford considerable relief to those classes who have the greatest need therefor.

The very fact of such remissions being possible indicates the healthy financial condition of the country and it is gratifying to know that the past year has been on the whole one of general prosperity throughout the Madras Presidency. The general rainfall was above the average of 35 years in most of the districts and the cultivation figures exceeded the average of the previous 5 years. Unfortunately, parts of Guntúr, Nellore and Trichinopoly were affected by floods which caused some loss of human life and great injury to property. Relief was afforded to the people in the affected villages in the following ways, namely,—

(1) by the postponement of kist collections in the affected villages of Guntúr and Nellore districts,

(2) by the free grant of timber for rebuilding houses,

(3) by the grant of loans at a reduced rate of interest or without interest in special cases under the Loans rule,

(4) special allotment of Rs. 500 made for distribution of money doles in the affected parts of the Ongole taluk.

In spite of a generally favourable season prices of food-grains remain at an unusually high level and it is difficult to understand the cause of this.

Referring for a moment to the general question of taxation and in particular to the cognate question of excise, a Committee presided over by Sir James Thomson have furnished a most interesting report which has lately reached the Government and it is satisfactory to know that the general result of their investigations was favourable to the efficiency of the abkári administration in this Presidency.

In recent years there has been a large advance in the consumption of country spirits and toddy. At the beginning of last year the import duty on foreign spirits was raised by the Government of India and since then the tax on country spirits has been raised by this Government. In the case of toddy also the tree-tax has been enhanced since the 1st of October last, while in respect of all intoxicants strict orders have been issued prohibiting any increase in the number of shops. The subject of shops will be further considered in connection with the report of the Excise Committee to which I have referred. I may add that the duty on ganja and bang as well that on charas has also been raised with effect from the 1st of this month while the import, possession, and sale of medicated wines and cocaine and morphia have been brought under control during this year so that the Government have in many different directions endeavoured to check the consumption of intoxicants. I think I have digressed somewhat from my point. I set out to show what progress has been made in the matter of education, industrial development and the provision of local needs.

In regard to education proper the Honourable Member has fairly covered the ground. Education may be said generally to be in a stage of transition. Last year has been one of experiment, our endeavour being to give effect to a policy which I conceive to be sound, namely, to differentiate clearly between primary and secondary education and to improve the quality of both. An important part of this policy is to increase the number, improve the quality and raise the status of our teachers, though the precise way in which this end is to be accomplished has not yet been determined. It will, I hope, be acknowledged that the Government are making an honest endeavour to fulfil their obligations in this most important branch of administration. It may be found that modifications are necessary in the system which has been lately introduced. I do not think that the Government will be opposed to any reasonable modification so long as its introduction will not result in lowering the standard of efficiency at which we aim. The initiation of a scheme for the improvement of agriculture is so closely allied to the question of education that I should like to refer to it here.

It was a matter of great satisfaction to me to lay the foundation stone of the Agricultural College and Research Institute at Coimbatore last year. It was the actual inspiration with life of a germ which will, I hope, spring into a vigorous and sturdy factor for good and have great and beneficial results in the development of the agricultural industry. The scheme includes the erection of a large college with lecture halls, class-rooms and laboratories as well as accommodation for staff and students. Attached to it is an experimental farm extending in area to some 450 acres. The site has been specially selected on account of the suitability of the soil for the purposes in view. The object of the combined college, research institute and farm is the study in the laboratory and in the field of the various problems connected with the agriculture of the Presidency and the training of students in the practical application of scientific methods. The staff consists of an expert Agriculturist as Principal, an Economic Botanist and an Agricultural Chemist. The scheme also includes the ultimate establishment in each important tract of an experimental farm where improved and new varieties of crops and agricultural methods will be thoroughly tested and their suitability for the particular district proved by demonstration to the ryots. We have at present nine stations of this description. The Presidency will be divided into two circles and the experimental farms in each circle will be under the charge of an expert Agriculturist designated "Deputy Director of Agriculture" whose duties will include besides the care of the farms a systematic study of the agricultural conditions prevailing in his circle, the guidance of local agricultural associations, attendance at agricultural shows, the distribution of suitable seeds and the like. The main difficulty with which we have to contend at present in connection with these experimental farms is that of finding suitable men with the requisite training and experience who are qualified to take charge of them. One of the first things to be done at Coimbatore is to train a sufficient number of men capable of conducting satisfactorily the experiments on these particular farms and others which it is our intention to establish as soon as they can be properly staffed. At the present time, the experiments carried out are only in the initial stage. The College in Saidapet will be closed at the end of this year and though the buildings of the new college will not be ready to receive the students at the time, temporary arrangements will be made for their accommodation till the permanent buildings are completed.

An officer of the Indian Civil Service has been appointed to be a whole-time Director of Agriculture to control the work of the department under the directions of the Board of Revenue. In order to meet the increased cost of the department, the Government of India sanctioned in 1905–1906 an allotment of a lakh and a half from Imperial funds and this annual grant has been increased to three lakhs from the year 1906–1907. Part of this grant is, however, meant to be utilized to meet the cost of the contemplated expansion of the Veterinary Department.

The functions of an Agricultural Department do not consist solely in increasing the productive capacity of the soil, and the growth of cereals, roots and fruits. In no country which I have visited is the quality of the stock more capable of improvement than in India. Indifference as to how animals are bred, and want of care in feeding has resulted in this country being for the most part stocked with a degenerate race of horses, cattle and sheep among which from their degenerate qualities disease plays havoc. The rate of mortality is very high. The field which lies open for veterinary science is very wide.

The Madras Veterinary College was opened in 1903 for the training of students in veterinary science. The college has worked well and the first set of graduates has now passed out. Six dispensaries were at work during the year and it is hoped that five more will be opened in the course of another year. But not only by prevention and cure of diseases much has yet to be done to improve the quality of the stock in this country. The Government has interested itself practically in the cattle shows of the various districts and by giving out well-bred stallions and bulls is trying to inoculate, so to speak, each country side with pure blood. Endeavours are also being made by the Government to improve agriculture by various operations, such as the distribution of seed-cane, the selection and distribution of good cotton seed to ryots in the cotton-growing tracts, and the offer of a premium to growers of pure cotton in order to do away with the growing of a mixture of cottons. Experiments in curing tobacco are also being conducted through the agency of Messrs. Spencer & Co. at Dindigul.

And while on the subject of agriculture I should like to allude to the satisfactory manner in which the scheme for the establishment of Co-operative Credit Societies is progressing. A year ago there were in existence 27 societies and to-day the number has increased to 60. It has been a year of steady progress and though these are early days in which to express a decided opinion as to the likelihood of the scheme being permanently successful, I am, being an optimist, confident that it is going to prove a great and lasting benefit to the agricultural community.

In regard to these societies, there are two points which I think are most satisfactory. The first is that there is every indication that they will not require spoon-feeding by the Government but will have sufficient individual strength to stand by themselves; for there has been no difficulty so far in obtaining money for the various societies and the second point is that as yet there has been neither delay nor difficulty in obtaining the repayment of the loans. There is one other matter which affects peculiarly the interests of the ryots and that is the conservation of forests. Deeply impressed as I am with the conviction that the rainfall of any country is certainly dependent to a very large extent on the amount and nature of the forests and that the denudation of forest lands means the inevitable and certain diminution of the rainfall, I feel that it is the duty of every Government in India to watch zealously the conservation of forests. To do this thing it must be necessary from time to time to impose measures and restrictions which bear or seem to bear hardly on the ryots. After all, they are but human! For years they have had practically free access to the forests, the disappearance of which has seemed to them of trivial importance. They cannot foresee the ultimate result which must ensue and they can hardly be expected to realise that if they of this generation are allowed free access to forest ranges and their destruction of the forests is unchecked, they are piling up a debt of want and privation which posterity will certainly have to pay. To most of them the abolition of the unregulated permit system for the removal of timber, fuel and bamboos seems an unreasonable hardship. The opening of departmental sale depots for supply of forest produce appears to them to be but a poor substitute for the old method and consequently complaints have been rife. But among those who are best qualified to judge there seems to be a unanimous opinion that the change was necessary. In introducing such a change mistakes are liable to be made, but these, I hope, will gradually be discovered and rectified. Some hardships have fallen upon the classes who have hitherto earned a living by bringing in firewood on permit. But every endeavour is being made to find employment for them under the department and thus I hope the hardships will be removed. As a matter of fact, it seems to me that the chief drawback of the system is that it tends to swamp the Forest-officer with petty commercial detail and to leave the expert no time for scientific forestry. But this, I hope, is one of those drawbacks which in time we shall be able to remove.

1-40 P.M.

The world they say is ruled by its stomach. The growth of cereals, the improvement of the breed of cattle and sheep come under the category of food supply and there is another item of food supply to which comparatively little attention has been paid and to which I would call your attention and that is Fisheries, both inland and marine. The question of their conservation and development has been engaging the attention of Government for the past two years. Sir F. Nicholson most generously placed his services and experience at the disposal of Government and undertook the special duty of investigating the question both locally in the Presidency and also in

Japan, America and Europe. From the reports which he has furnished there is reason to believe that here a fallow field, so to speak, is lying waiting to be developed which is capable of great production. His inquiries go to show that round our coast and especially on the West the seas are well stocked with fish, but that hitherto the fishing industry has been inconsiderable and that the methods employed are of the most primitive description. The boats—if boats they can be called—are small and incapable of either going out any distance from shore or of remaining out at sea. The nets are of limited capacity; the methods of curing are abominably bad so that in consequence the results in the matter of the quantity of fish caught are poor, the quality of the fish sent to market is inferior and the loss by putrefaction alone is great. Modern methods are unknown. We propose to try to develop this industry, to introduce boats of a more modern and efficient model, to use nets of greater capacity and to experiment in the latest processes of curing, pickling and canning fish in the hope of inducing the fishermen of this country to abandon methods which are now obsolete and thus to develop a great industry and produce a wholesome food supply of superior quality and of keeping power for wide distribution in this and other countries. Sir F. Nicholson has submitted proposals for the development of this industry together with a masterly note on the Fisheries of Japan and we are now considering proposals for the establishment of an Experimental Fishery and Curing station on the West Coast preferably at Tellicherry, also for the establishment of carp and other fresh water fish hatcheries in suitable localities, and finally for the deputation of students to Japan, England or America to learn the methods of catching and curing fish which are there followed so as to provide the expert staff required to carry on the work connected with the Fishery station and inland hatcheries. The Government have also recognised Sir F. Nicholson as their adviser on fishery matters and contemplate the creation of a Fishery Bureau.

Independently of this scheme a specialist is at work investigating the fish supplies in the larger rivers of the Nilgiri district and stocking the principal streams with rainbow trout and other suitable fish. An examination of the Bhaváni river has shown that the destruction of fish is going on in so wholesale a manner as to threaten to exterminate the indigenous species and thus to diminish an important source of food supply and proposals to apply remedial measures are under the consideration of Government.

Although the past year has not been favourable for the execution of irrigation works, yet the total expenditure under all heads is expected to amount to over 79 lakhs—the highest total which has yet been reached. It is however only fair to say that this is partly due to heavy expenditure on machinery in England for the Divi Pumping Project and shutters for the Periyár Right Bank Escape.

In regard to the former of these two projects—the Divi Pumping Project—the estimate of cost amounts to Rs. 18,60,000. Fair progress is being made and I hope that the engine will be ready for pumping in June or July by which time the distribution channels should also be ready. In regard to the latter—the Periyár Right Bank Escape Project—for which the estimated cost is $4\frac{1}{2}$ lakhs, I have a somewhat disappointing tale to tell; for the shutters arrived much later than we had been led to hope and as a result it is unlikely that they will be completed before the south-west monsoon and if there is surplus water available, it will not be made use of.

A scheme is now under investigation for the enlargement of the catchment area whereby we hope to increase the storage capacity of the Periyár lake.

Of the other projects, the Nagavalli Project which is to cost Rs. 10,82,000, the progress has been disappointing chiefly owing to the unfavourable season. But a good start has been made with the foundation of the head works and it is hoped that they will be mostly laid during the coming working season.

The new undersluices to the Dowlaishweram Anicut, for which the estimate is 4 lakhs, have made good progress and will be completed before the south-west monsoon.

In regard to the Mopad Project, for which the original estimate was some 10 or 12 lakhs, the revised estimate amounted to over 20 lakhs and although arrangements had been made for starting the work, orders were received from India to stop it pending sanction to the revised estimate and the carrying out of an investigation for an extension of the distributaries. This investigation is proceeding and will shortly be completed.

Of the large projects which have been for some time under consideration, the Tungabhadra proves upon an investigation to be far more costly than was originally anticipated. The estimates have been entirely revised and now amount to over 17 crores. It is doubtful whether it would pay more than 2 per cent.; but its merits as a protective work would be so great that I do not despair of its ultimately being taken in hand.

The next in importance is the Kistna Reservoir Project for which the estimates amount to 12 crores. The Inspector-General of Irrigation has recently inspected it and has made suggestions for certain alterations which necessitate further investigation, and it is hoped that the project may be so altered as to make it a "productive" work.

The Cauvery Reservoir Project was resubmitted to the Government of India, but was again returned with suggestions for certain modifications in its scope which, it is confidently expected, will result in its being made fully productive in which case it is believed that it will be sanctioned.

Estimates for the Krishnapuram, Kocheruvu, Venkatapuram and Rallapad Projects were also submitted to the Government of India and the investigation of the Bhavári Project has also been completed.

The Imperial grant for 1907–1908 provides for only one new work, namely, the deepening and widening of the Periyár watershed cutting. Under Provincial works the most important are—

(1) improvements to the Lower Coleroon and Shatiatope anicut;
(2) the Maidkur Project in Cuddapah which provides for the extension of irrigation under the Kurnool Canal;
(3) the Markapur Tank supply channel in Kurnool; and
(4) the Berijam Project in Madura which will not only be a source of supply for irrigational purposes but also for Periyakulam town.

So much for the programme of irrigation works proper. Mr. Chatterton, who has recently been appointed Director of Industrial and Technical Enquiries, has during the past year devoted his attention to the development of irrigation by pumping. Experiments have proved the existence of large supplies of subterranean water; trial borings have been made and it has become evident that there is considerable scope for the employment of a large number of oil-engines and pumps. The convenience of oil-engines as a motor power has been sufficiently demonstrated. In the Chingleput district a special Deputy Collector has been appointed to deal with applications for loans for the construction of wells and to assist the ryots by making trial borings. His operations are at present confined to the Ponnéri taluk of the Chingleput district where he has succeeded in discovering subterranean supplies in several villages. This work is in several ways an important departure. It shows that the Government can be of useful assistance to the ryot by ascertaining whether and if so where subterranean water-supplies exist. This Deputy Collector's work is only a part of the scheme initiated by Mr. Chatterton. Schemes are also in hand for the promotion of the chrome-tanning, leather industry and the weaving industry, but these operations are as yet only in their initial stages.

Of other local needs, by no means the least important, is that of communications —I mean roads and railways. For the construction of the former, the Government of India have made a special assignment of 14 lakhs which has been distributed among the various District Boards. The latter are thus enabled to take up many new roads and bridges and special repairs to existing roads for which their own funds would otherwise have been insufficient. In regard to railways, I need not remind this Council generally that questions of railways and railway policy do not come within our purview, but are dealt with entirely by the Government of India; but I feel that it may be of interest to this Council to know that during the past year the work in the office of the Secretary for Railways has been unusually heavy. I am myself fully alive to the advantages of a progressive railway policy and I realise how desirable it is for the development of this Presidency that a net work of railways should be extended to many parts, the development of which is now cramped and hindered by want of railway communication. Many schemes for the construction of District Railways have been before us now for some time; many of them are in themselves attractive by which I mean that they appear to be good payable propositions and all of them are desirable in order that remote districts may be brought into closer

touch with the centre. I have been particularly desirous of hastening some of these undertakings; but progress has unfortunately been delayed for many reasons, but chiefly owing to the inability of the Government of India to find a place for them in the Imperial construction programme. Meanwhile every effort is being made to find a practicable way of financing and constructing these branch lines independently of the programme. Of the work which has been done, I may mention that on the Madras Railway the West Coast line has been extended and opened for traffic over 36½ miles from Azhikkal to Kumbla. Engineering difficulties have delayed the opening of the last section of 21 miles from Kumbla to Mangalore, but it is hoped that this will be opened to public traffic before June next. The important junction works at Madras connecting the main line of the Madras Railway with the North-East line were opened at the end of the year and a costly project for extending the Central Station has been submitted for the sanction of the Railway Board. The heavy and prolonged monsoon delayed the work on the extension of the Nilgiri Railway from Coonoor to Ootacamund, but it is hoped that it will be opened for traffic in September next. On the Madras Railway attention has been paid to improvements in the signalling arrangements, the electrification of the Perambur Workshops has been sanctioned, and active steps are in progress for placing these shops on a proper footing to enable them to cope with the increased work. By the end of the year a very substantial addition will be made to the engine power and a gradual improvement in the service should be possible. On the South Indian Railway, the line from Pámban to Rámésvaram, 7 miles, was opened for public traffic and the sanction of the Government of India is awaited to connect it with the main line. The Railway Board have sanctioned the survey of an extension on the island from Rámésvaram to Danishkode, 13 miles.

Surveys were made by the South Indian Railway for—

(i) Doubling the line from Madras Beach to Pallávaram, 14·78 miles;

(ii) A line from Ammayanáyakkanúr to Uttamapálaiyam, 61·46 miles on behalf of the Madura District Board.

(iii) A line from Pollachi to Palghat *viâ* Kollengode, 37·68 miles. Under the orders of the Government of India the preparation of the complete project from Dindigul *viâ* Pollachi and Kollengode to Palghat was put in hand.

A reconnaissance was commenced for the line from Trichinopoly to Panruti *viâ* Adyar and the survey on this alignment having been sanctioned by the Government of India the party for the final survey took the field at the end of the financial year.

On the South Indian Railway open line the most important features of the year were the revision of the shop and rolling-stock requirements, the improvement of the passenger service and the strengthening of bridges with a view to the employment of heavier axle loads, on which work good progress was made. A number of short local services between the principal towns were provided whose utility has been proved by their popularity. The proposals made to the Government of India for adding to the rolling-stock should ensure a better and less crowded service. The extensive improvements and alterations to Egmore station are well in hand and by the end of the year the South Indian Railway should have a terminal station worthy of the Presidency town.

On behalf of Government, the Bengal-Nagpur Railway Company commenced the construction of the line from Vizianagram to Raipur, 310·62 miles (of which 133 are in this Presidency), and the line from Kurnool to Dhone, 32 miles, was commenced by the Southern Mahratta Railway Company. On behalf of the District Board of Kistna, the latter Railway Company is also constructing the line from Bezwada to Masulipatam, 49·50 miles.

Any review of the administration of the past year would be incomplete without a reference to the great undertaking which has been on hand for some time and that is the construction of the Madras Harbour. The work has been progressing satisfactorily, but in the course of progress it has become evident that the original estimate of 46 lakhs was inadequate, and the Government of India have now sanctioned a revised estimate amounting to Rs. 55,46,000. They have sanctioned on account of these works a free grant of Rs. 20,00,000 and a loan not exceeding a maximum of Rs. 40,00,000 bearing interest at 4 per cent. per annum. The free grant of Rs. 20,00,000 has been spent and the loan fund had been drawn on to the extent of about Rs. 2,50,000. It is now expected that the work will be completed before the year 1912. I am glad to say that a scheme is now being carried out for improving the facilities for handling

cargo in the Port of Madras. The improvements consist in the building of a long single-storied import shed where the appraisement of cargo, especially the beach-landed cargo, may be carried on; the construction of a new iron pier with up-to-date hydraulic equipment which will relieve the congestion on the existing old screw pile pier and the provision of a separate passenger gangway. Its estimated cost is about Rs. 9,50,000 and the works are being rapidly proceeded with. We may, I think, fairly hope that, when these improvements are carried out, the complaints made by shipping companies and the public in regard to the delay and inconvenience experienced in the Madras Harbour under existing arrangements will no longer be heard.

In regard to other harbours, we have under consideration a scheme for the conversion of the present open roadstead at Vizagapatam into a safe still water basin or harbour, practicable for ships of the largest size. We have also under consideration schemes for improvements for the ports of Tuticorin, Calicut, Cuddalore, Negapatam, Cocanada and Mangalore, and are about to undertake the construction of a lighthouse on Sacrifice Rock, which is estimated to cost approximately one lakh of rupees. It is hardly necessary for me to remind the Honourable Members of the position in regard to schemes for improving the water-supply and drainage of this city. I may say briefly that these schemes have assumed proportions of great magnitude, and it is evident that they will involve a heavy expenditure. In the course of the year the Government made a further grant of Rs. 3,00,000 in aid of expenditure connected with these schemes, and it was found necessary, in order to meet the anticipated expenditure, to increase the water and drainage tax to the maximum amount leviable and to provide for further means of revenue. The estimate for the water-supply scheme amounts to Rs. 23,60,000, while the estimate for the drainage scheme has been raised from Rs. 48,65,000 to Rs. 65,24,000, exclusive of a sum of Rs. 20,00,000 for the drainage of Georgetown. For the present, pending further investigation and the preparation of detailed estimates, it was considered desirable to suspend operations except in respect of expenditure to the extent of Rs. 5,80,000 which includes among other matters provision for remedying the nuisance known as Kelly's Outfall. The whole matter is now under the consideration of the Corporation, and it is to be hoped that no unduly long delay may occur in the execution of these schemes upon which the health and convenience of the citizens of Madras so much depend.

In regard to sanitation outside the Presidency town, I may say that there has been a satisfactory decrease of plague as compared with the previous years. In the whole Presidency during the year 1906–1907, the total number of deaths was 627 as against 3,002 in the previous year and over 12,000 in the year 1904–1905. The disease is practically confined in an indigenous form to the districts of Bellary, Salem, the Nilgiris, Malabar and South Canara. I earnestly hope that, if no relaxation is permitted in precautionary measures, the figures for the next twelve months may show a still more satisfactory decrease. I wish that I could tell you of an equally satisfactory diminution in the number of cases of death from cholera. The rate of mortality from this cause is appallingly high, and it behoves us, I think, to use whip and spur to improve throughout the Presidency the systems of water-supply and drainage in many of the mufassal towns. During the year, progress has been made to the water-supply schemes for Vellore, Gudiyáttam and Nellore; at Salem a small installation by means of a tank and oil engine was set up by the Government, while experimental works were undertaken at Bezwada and Madura, and the water-supply at Guntúr was also under extension. At the same time important schemes for supplying water at Salem, Coimbatore, Periya-kulam, Tuticorin and Berhampur have been under investigation. Many of these schemes have been under consideration for many years. The delay has been to me extraordinary. I do not propose to analyse the various causes which have resulted in such extraordinary delay, but I can assure the Members of this Council that I am fully alive to the great amount of work which has to be done in this direction, and the question is now receiving my consideration whether the Sanitary Engineer is not overburdened with the mass of projects which he is called upon to investigate, and whether it may not be desirable to strengthen that department so as to minimise delay and to expedite the execution of works which I regard as of paramount importance to the public health. We have also drainage schemes in hand, of which the most important is that at Ootacamund, where the progress has not been so satisfactory as I could have wished. There is one item in connection with public health which is altogether satisfactory and that is the completion of the Pasteur Institute at Coonoor

which has just been opened for the reception of patients, the existence of which we owe to the generosity of Mr. Henry Phipps of the United States of America. The buildings are practically completed and the management has been vested in a Committee composed of official and non-official gentlemen, of which Surgeon-General Browne is the President. The Director and Assistant Director will be officers of the Indian Medical Service appointed and paid by Government; the services of a Civil Assistant Surgeon and a Hospital Assistant will also be placed by the Government at the disposal of the Committee, but their pay and allowances will be recovered annually from the funds of the Institute. The clerical and menial staff of the Institute will be appointed and paid by the Committee. Certain concessions have been granted to enable Government servants and persons of slender means to proceed to the Institute for treatment.

2 P.M.

I have done. I have made no attempt to traverse the whole field of administration. I have endeavoured to do no more than give an outline of the main features of what I may call the more active enterprises of Government. Administration cannot stand still. It must either go forwards or backwards. There must be either growth or decay. I venture to hope that, in the present policy of the Government, you will detect no disposition to arrest the march of progress, but rather a conscientious endeavour to expand industry, develop resources and increase the comfort, the health and the prosperity of the millions of people committed to our care.

At this stage the Council adjourned and reassembled at 2–45 P.M.

2–50 P.M.

The Hon'ble RAJA V. VIRABHADRA RAZU Bahadur :—Your Excellency, before I venture to offer my remarks on the Financial Statement just placed before us by the Hon'ble Mr. Forbes, I feel it my duty to tender, through Your Excellency's Government, our grateful thanks to the Government of India for the measure of relief afforded to the people of this country in the further reduction of the salt duty. The lightening of the burden on one of the prime necessaries of life is one which is hailed with universal delight in this country, and is, I may be permitted to hope, only another step taken by a generous Government in the direction of the total abolition of an impost whose sole justification has been, that it is contributed by the larger (though poorer) numbers of the Indian population. I venture to express the hope that the Government will ere long see fit to follow up the benevolent policy of relieving the burdens of the poor toiling masses of this country by the much-wished-for remission of the proprietary village service cess. While the Hon'ble Mr. Baker from his place in the Supreme Legislative Council assured us last year that its abolition was only a hope deferred, the Hon'ble Mr. Stokes was pleased to explain in this Council Chamber at the last Budget debate, that the circumstances that stood in its way were only a matter of detail, and that there was every possibility of the principle under which it was accomplished in the ryotwari tracts being ultimately extended to the proprietary estates. The zamindari ryot and all interested in his well-being, therefore, eagerly look forward to an early consummation of this object. Turning now to the Provincial budget, I desire with Your Excellency's permission to congratulate the Honourable Member in charge of the Finance on his being able to present a prosperous budget for this year. The year is expected to open with a balance of 103·26 lakhs, the largest on record, which, thanks mostly to a favourable season, has resulted, after a spell of administrative reform and reorganisation in Police and Education, and a liberal provision made for Primary education, Famine-relief, Public Works and Veterinary and Industrial development. This, with a total revenue estimated at 489·81 lakhs, also a record figure, is expected to lend itself to a series of further administrative and other improvements in the course of the current year. Thus, the Police, Education and Agriculture have again and rightly come in for increased attention on the part of Government. One satisfactory feature of this budget is the allotment by the Government of India of 2·50 lakhs towards famine-relief, an allotment which is proposed to be annual. The Government may now feel itself unhampered by the possibility of expenditure having to be incurred for famine-relief in its carrying out some of the internal reforms for which funds have been provided in the budget. While expressing my gratification at Your Excellency's Government budgeting for the carrying out of further schemes of Police reorganisation in the course of the current year, I most respectfully beg to suggest for the consideration of this Council the desirability of

raising the pay of Stationary Sub-Magistrates and of the taluk establishments as measures tending, side by side with the reform of the Police, to improve the tone of the administration by attracting honest as well as capable men to the service. Speaking of agricultural development, I wish to offer, on behalf of the agricultural population of this Presidency, my grateful thanks to Your Excellency's Government for having provided funds to establish two experimental farms besides the 9 already existing in the Presidency, and 10 Veterinary dispensaries to add to a single one now existing at Rajahmundry. I earnestly trust that Government will before long be in a position to establish a Demonstration farm and a Veterinary dispensary in each district and to appoint permanent Agricultural and Veterinary Inspectors to go about from village to village disseminating expert advice on improved methods of agricultural development, of cattle-breeding and treatment of cattle diseases. I take this opportunity of drawing the attention of Your Excellency's Government to the fact that Agricultural Associations in various districts are not a little handicapped for want of expert guidance in the introduction of improved agricultural appliances and the carrying out of practical experiments in agriculture without a very large outlay. While I feel sure that the appointment of itinerant Inspectors will go a great way in removing this disability, I would go a little further and urge on Your Excellency's attention the necessity for subvening the funds of District Agricultural Associations with annual grants to enable them to carry out some of their much-needed reforms. At the same time it will serve a highly useful purpose if Government will supply them with a set of improved implements which have been successfully tried in various provinces in India. I have great faith in the adaptability of the Indian ryot to altered conditions, and I feel no manner of doubt that with the aid of improved appliances introduced into every part of the district by the Agricultural Association, he can, with little difficulty and not much expense, be brought into touch with better and more scientific methods of developing his resources. Passing to the question of Education, I congratulate the Government on the liberal provision of 2 lakhs made in the budget for University education. The details for utilising this amount have apparently not yet been worked out, but I do venture to hope that part of this will be devoted to the founding of University libraries and laboratories on a large scale to stimulate post-graduate research; and to increasing the number of scholarships to enable distinguished graduates of the University to prosecute their studies in some English or Continental University. I once more beg to offer my thanks, in which I am confident the whole country will join with me, to the Government of India for the solicitude which it has evinced in the advancement of the masses of this country by proposing to abolish school fees in Primary schools, and calling on Provincial Governments to express their views on the subject and propose ways and means for carrying out the scheme. If there is one question, Sir, on which there is absolute unanimity of opinion among all sections and parties of the people, it is this of free Primary education, and it is sincerely to be hoped that Your Excellency's Government will, among others, be able to signify its cordial support of the scheme, with a view to obtain an early sanction for it from the Secretary of State for India and take the working of it on hand during the current official year. Your Excellency, while I highly appreciate the advantages resulting from free Primary education, I am far from lending myself to the belief that it is the only means of making Primary education as popular as it ought to be. This can be secured by an additional provision to establish a larger number of Primary schools than now exist, with a view to place them within easy and convenient reach of those for whom they are intended and by ameliorating the condition of the village schoolmaster by raising his salary. I hope that these matters will receive the attention of Government when the question comes to be solved in all its details. While on the subject of improving the condition of teachers, I may be permitted to urge on Your Excellency's attention the desirability of taking early steps towards the formation of a Provident fund for teachers who are employed in schools and colleges other than under Government management. The profession of a teacher has, it is well known, at present no attraction for people of first rate attainments. The reason for this is not far to seek. While on the one hand the present system provides no liberal scale of salaries for people who take up that profession, there is, on the other, no resource for them to fall back upon in times of need when they are old and unable to continue in harness any longer. This question has already claimed Your Excellency's attention at the recent Educational Conference held at Madras, and I hope Your Excellency's Government will be pleased to consider the expediency of bringing it within the range of practical politics by making it

one of the conditions precedent for recognising a school or affiliating a college or at least for aiding it, that it institute a Provident fund out of the salaries of teachers to be supplemented by an equal grant from Government for the benefit of retired and disabled teachers. There is yet another matter to which I request Your Excellency's attention. The educational needs of the people committed to their care have engaged the attention of the Indian as well as Provincial Governments for a number of years past. Under their direction various reforms have been introduced with a view to secure greater efficiency in educational standards. As one of the best means to this end I may be permitted to suggest the establishment by Government of a model high school in every district or one in two or three districts to begin with, equipped with such apparatus, library and staff of teachers and other necessaries as Government would like to see maintained in private schools. These model institutions, while they will be efficient agencies for imparting sound education, will also serve to stimulate indigenous effort to conform as far as possible to the standards set by them. The Government of India has already taken this subject into consideration, as Your Excellency's Government is aware, in their letter dated the 10th October 1906, and I venture to hope that, if this Government be consulted in the matter, it will give its fullest sympathy and aid in the effectuation of the scheme shadowed forth in that letter. I cannot pass from the subject of education without attempting to enlist the sympathy of Your Excellency's Government on the side of a certain aspect of Sanskrit and Vernacular education. The imparting of instruction in these languages is one of great importance, and to ensure such instruction being properly given, it is of the highest moment that the pandits must be well qualified for the purpose. While the pandits have, as things now stand, a great fund of knowledge of the science and literature of ancient India, they often lack the method by which the knowledge they possess may be imparted to the students, not having been trained in the methods of education such as appeal to those familiar with Western modes of instruction. I would therefore urge for Your Excellency's consideration the wisdom of founding institutions for training Sanskrit and vernacular pandits in the methods of teaching on Western lines.

3-7 P.M.

The Hon'ble C. K. Srinivasa Rao :—May it please Your Excellency,—I crave Your Excellency's permission to offer a few remarks on the budget. It is usual, on an occasion like this, when the Honourable the Finance Member presents his budget, for the Non-official Members of the Council, to present their budget of suggestions regarding the administration and income and expenditure. In following this practice, I only mean to offer a few suggestions and observations, because I do not consider a Provincial budget meeting an occasion for exhausting all possible and conceivable suggestions regarding the improvement of the administration. I also venture to think that the scope of our suggestions is very much limited by a number of considerations. Above all, the financial limitations set to us, and by which all of us are equally bound, limits the scope of our criticism very much indeed. Nevertheless when the principles of criticism are common alike to Imperial and Provincial finance, and when Your Excellency agrees with the fairness or justice of those principles, I feel certain that we can look forward to Your Excellency's sympathy and support, when the opportunity arrives for giving effect to those principles. I feel justified in this hope, not simply as a matter of theory, but from what has taken place, from time to time in our own Council, even during the short period of its existence, in its present form.

I am aware, Your Excellency, that our method of criticising the budget is open to the criticism that it does not take sufficient account of the practical difficulties of administration, and that it is somewhat too theoretical. While willing to admit the truth underlying this criticism, may I venture to submit to Your Excellency that the very part assigned to us by the Government makes it inevitable that our criticism should be what it is; but even as it is, and within the limited sphere assigned to us, I venture to think that it may be said with truth that, if a purely theoretical criticism lacks at times practical vision, it may have the benefit of seeing farther ahead than the practical needs of the moment.

Bearing in mind that what a Finance Member has to feel thankful for, for a prosperous budget, is not so much the agencies under as those beyond human control, the Honourable the Finance Member may well be congratulated on it, that the present

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year's budget is unclouded by that terrible visitation, famine, and that, that other visitation plague, has also generously withheld from us, during the year under consideration, except to a very small extent.

The reduction of salt tax.—I feel, Your Excellency, that one cannot better begin his remarks on the budget this year than by offering his hearty congratulations to the Government, on behalf of the people, on the reduction of the salt tax. I have no doubt that the reduction is hailed with joy by the poor all over the country and that it is a reduction for which man and brute are alike grateful. In view of the opinion of so high an authority as the Right Honourable the Secretary of State for India, on the salt tax, expressed last year in his budget speech in the House of Commons, one feels that the first best thing that can happen to it, on the ground of abstract principle and justice, apart from purely fiscal considerations, is its abolition. The next best thing that can happen to it is its gradual reduction until we can afford to abolish it altogether.

We are also thankful for the cheapened postage in weight, as announced in the recent Viceregal Council's budget.

Primary education.—It has always struck me, Your Excellency, that the village being the unit of the Province as well as of the Empire, the improvement of the village may well be taken as a proper test of improvement all round. Now, village-life calls aloud for improvement in every direction. I have pinned my faith to it, that unless village-life is rescued from its present condition of phenomenal ignorance, very little of real progress is possible. Every measure of reform or improvement, which the people or the Government are willing to try, from the simplest question of sanitation or vaccination up to the highest one of making the people honest and intelligent citizens, evincing a legitimate pride in the improvement of their cities, towns and villages, is wrecked on the great rock of popular ignorance. The Sanitarian and the Doctor, the Magistrate and the Judge, the Reformer and the Statesman, the Official and the Non-official, in short, all who would see India on the better side of life and living, have had all their enthusiasm brought down to zero point, when confronted with the ignorance of the village, and its concomitant, the conditions of village-life.

Coming as I do from the backward Ceded Districts and from Kurnool, the most backward perhaps of the Ceded Districts, I feel naturally that if the scope for primary education is wide enough, in all conscience, for boys, that for girls is wider still. That only 28 per cent. of boys of the school-going age in the Province, that is about only a fourth of the school-going age of the male sex, should be under primary education, and that but 5 per cent. of the girls of the school-going age in the Province should be under primary education, is certainly not a state of affairs for congratulation. I tried my best to see if a Government or Municipal Girls' school for the Hindu girls of Kurnool, the head-quarters of a district, could be had, but I have not been successful till now, and the prospects are gloomy unless Your Excellency comes to our rescue. Thirty lakhs every year, of which Government contributes about 6 lakhs, spent on the primary education of about 35 millions, is an infinitesimally small fraction indeed to spend on primary education!! The proportion of our expenditure on primary education to our total revenue cannot fail to leave an impression on the public minds, that what is recognised elsewhere in the world, as the primary concern of all civilised Governments, is allowed here to occupy a very very small place indeed in our finance. It would be a strange irony of fate, if under no less a Government than the British, the amount spent on the education of girls in the Province should be as poor as if it were a Government that did not believe at all even in the primary education of our girls, as among the prime duties of Government. I thought, Your Excellency that it was only our present day social system that had lost faith in the education of our girls, but judged by the figures, I am afraid it looks as if the great Government under which we are, has just as little faith in the education of our girls, as our social system itself. Is not the saying true, Your Excellency, with education, that "to build a school-house is to construct a fort. To teach the alphabet is to inaugurate a revolution."

We hope, Your Excellency, that the free primary education scheme for the country, now under consideration, will soon take practical form and shape and begin to bear fruit. While thanking the India Government for the broad and statesmanly principles they have laid down, in considering the problem of free primary education,

we implore Your Excellency to do by the cause of primary education, in this Province, as much as can possibly be done. Primary education for boys and girls, is one of those most elementary and indispensable of things, in every great and civilised Government, that it must be not only free enough, but it must be also full enough. It is not clear from the Government of India's letter (dated 22nd November 1906), on free primary education, for a copy of which I am thankful to Your Excellency's Government, whether the Government of India contemplates setting apart a sufficiently large sum of money to meet the requirements of primary education, on the required scale: but, unless this is done, the problem of free primary education will be far from being solved and the present proposal of the India Government will merely substitute for fees levied, Government grants. This, while it will have the effect of freeing the poor from payment of fees, cannot advance the cause of primary education in general. I have dwelt thus far on the question, Your Excellency, because, I feel that primary education for boys and girls is one of those first and foremost duties of Government, so much so that it deserves to be taken up in a liberal, large-hearted, comprehensive and thorough manner, so that not a village should go without its primary schools for boys and girls.

The Forest department and a Village Pasture Bill.—Next to the simple villager, comes for Your Excellency's consideration, the main stay of village-life and agriculture, his cattle. The Forest department is the one that comes most in conflict with the villager and his cattle. I admit the scientific possibility of the Forest department bringing us more rain in the remote future! The Government itself seems to be somewhat sceptical about this, as I see from the last review of the Forest Administration report. But, granting that there will be more rain in the country, when enough of country has been conserved and converted into forest, the question is, what is to become of the present? The interests of posterity are the great concern of the Forest department, but then there need be no undue sacrifice of our present interests to safeguard those of future generations, because if the needs of life and health of men and cattle, be unduly cut off by a rigorous Forest law, a poor posterity might be the inevitable result, who might not be able to revive, even under better rainfall. I venture respectfully to suggest for Your Excellency's consideration, a measure which, if carried out, would bless the village and the Forest department alike. I mean the consideration of a Village Pasture Bill, for the purpose of reserving and growing for every village a village pasture for the village cattle. As the Forest department is now making a decent and increasing revenue, which it was not originally supposed to make, the department may well be placed in charge of the village pasture, side by side with the forest, and the measure can be easily worked with the aid of the surplus forest revenue. The Forest department which is so unpopular, on account of the nature of the work imposed on it, and on account of the way the small men of the department carry it out, will be looked upon as protectors of the village, if they are engaged in growing and giving pasture for the village cattle. I need hardly say that the problem of fodder for cattle is a most difficult one in this country, and if some such thing as I suggest can be done, Your Excellency's Government would have helped the solution of a most vital and pressing agricultural problem, of immense benefit to the agriculturist and therefore to the Government as well.

The Kurnool settlement and the differential water-rate.—In connection with the settlement in Kurnool, I would bring to Your Excellency's notice what strikes me as a point worthy of consideration. In the old settlement of 1864, each class of soil was divided in a rough and ready manner under three heads—good, fair and indifferent, and now the desire for scientific precision has increased the number of classifications of the soil from three to five. This is also as much a rough and ready method, as the old classification of 1864. For the matter of that, at this rate, we may have 3 or 5 or 15 classifications. It is a mere matter of opinion and common sense and there is really no science about it, so far as I can see from a layman's point of view. Now in fixing the water-rate for irrigable dry lands, the fixing of a uniform water-rate as hitherto has the merit of being simple and intelligible, and meets the ends of justice. It has also the great advantage of not rendering any re-classification of the soil, necessary. Under a system of a uniform water-rate, the assessment is arrived at by the simple addition of the water-rate to the dry assessment: but I understand that the Government would not have this simple method. It is far too simple to meet the scientific requirements of the situation, and therefore the Government has decided on the adoption of a differential scale of water-rate instead of a uniform water-rate. The

differential scale of water-rate has this qualification about it, that it takes considerable time for one to understand it; secondly it is exposed to this grave objection that it involves a re-classification of the dry irrigable lands for fixing the water-rate; and we all know the danger and trouble of a re-classification of soil by small men whose appearance in the village is as welcome as that of the locusts in the field. The greatest administrative evil it will lead to, is in the discretionary power it will practically vest in the karnam, who will become master of the situation. Now the ryot paying water-rate under the system of uniform water-rate knows exactly what he has to pay; but under the differential system he will be entirely at the mercy of the karnam; thirdly the differential water-rate proceeds on a very strange principle which I have not been able to understand. It proceeds upon the principle of finding out the water-rate for the dry land, on the basis of its assessment, if it were wet, and deducting the dry rate from the wet, the difference gives the water-rate for the land in question. Now, I can't make out why dry irrigable lands should be taken out of the category of dry, because they get water once in a way, and should be assumed to be wet merely for fixing the water-rate. The broad classification between dry and wet is thus confounded, and in applying this principle to a particular piece of land, it is quite open to the officer to increase or diminish the water-rate, within certain limits as he likes. As the dry lands of the worse sort are not likely to go in for irrigation, and as it is only dry lands of the better sort, that will go in for it, the result will be that irrigable dry lands will be made to bear a heavier water-rate than they would be liable to if the system of the uniform water-rate had been continued. I anticipate the possible reply that the differential water-rate will lighten the assessment on some lands; but I am afraid this will be true only in a very small percentage of cases, and that it will practically have the effect of subjecting the major portion of the lands in question to an unduly heavy water-rate.

Free grants to Boards and Municipalities.—Now that we are financially in an area of surpluses, I would bring to Your Excellency's consideration the policy of coming to the rescue of our famished Boards and Municipalities. The policy of helping with liberal grants the District Boards in the construction of Railway lines imperatively needed in the districts, is a policy not only fruitful of immense benefit, but one that will be effective in setting the District Boards on their own legs, and starting them on sound progressive lines financially. Our own District Board for instance, which is poor enough, has taxed itself in the shape of a Railway cess to the extent of about Rs. 38,000 per annum and this tax we have had for the last five years. As the line between Kurnool to Dhone has been taken up as an Imperial line, the District Board is free to utilise its Railway cess for the construction of other local lines. The Kurnool-Nandikotkur line which requires about four lakhs will soon become an accomplished fact, should the Government be pleased to favour us with a free grant of a portion of the money required. I daresay Your Excellency's Government will come to the rescue of a District Board like Kurnool, which has shown such readiness to help itself.

The question of separation of the Judicial from executive functions, is a question of practical importance and utility to every Province in the Empire. It has been before the Government and public for years, but its decision is still in the womb of futurity. It has been discussed and discussed threadbare, and still we are only awaiting decision. It struck me years ago that the separation was both feasible and urgent, and as a practitioner of 18 years' standing, the conviction has only grown with me that the separation will be an act of unmixed administrative utility and justice. I have carefully considered how much of truth there is in the idea that the separation will involve loss of prestige to the authorities concerned and lead to administrative inconvenience and I am convinced that there will be really neither inconvenience nor loss of prestige. The inconvenience and the loss are little more than sentimental. The only loss is the loss of powers long possessed and to part with powers long possessed is disagreeable. It reminds one of the lines—

> "'Tis hard to part when friends are dear,
> It will cost a sigh, a tear."

As the question is under the consideration of the Government of India, I would suggest in the meanwhile the policy of increasing the number of Stationary Sub-Magistrates in the Presidency as a step in the right direction. I would also suggest that the experiment of separation may be tried in a few districts tentatively up

to Divisional-officers and first-class Magistrates. Even this will effect a considerable degree of separation of the Judicial from executive functions without the least difficulty.

The overworked clerks.—Though according to Your Excellency's speech the emoluments of several of the subordinate officers have been increased, I hope Your Excellency will not think we are too much of grumblers, if we submit to Your Excellency the case of poor men. It seems to me that a fit subject for consideration at our budget meeting is the overworked clerk. We may take the taluk gumastah as the type of this class of overworked men. We have all known him for a long time. He used to be found working to a late hour in the night quarter of a century ago: since then work has multiplied, but the taluk staff has not been increased. Since then price of food has risen, but the pay of our dear old taluk gumastah has not improved. He is working away all the same at all hours and he is at the beck and call of his superiors. The question of the increase of pay of the poor taluk gumastah is a point most pressing in its urgency on Your Excellency's consideration. If you believe in re-birth, you will find him praying that he be not born again as a taluk gumastah.

What about the other clerks as badly off as the taluk gumastah! What about big offices in Madras and the mufassal where poor clerks after working all day take bundles of papers home! If clerks are obliged to carry papers home after a hard day's work, it surely means they are overworked. It shows that many an office is undermanned, and the men of the office are overworked. If Your Excellency would consider and decide the question as to how best to improve the status of the taluk gumastah and the overworked clerk and how best to reform the numerous undermanned public offices in a thorough and comprehensive manner, it will bring relief to many a poor deserving "Government servant" whose life is now being cut short by overwork and under-pay.

The Revenue Inspector is another officer deserving notice. He is an officer constantly required to be in camp and yet he gets no batta. He has more than enough of ordinary work to do, and yet he has no clerk. He has to keep a pair of bulls and bulls can't live on nothing. Is it right to allow the Revenue Inspector to solve the problem by making himself the self-invited and inevitable guest of the karnam?

Is it right to make him feed his bulls on other people's fodder? Every one knows that this is what is going on and I am sure the Government knows it too, but why should not Government give the Revenue Inspector batta and a clerk and leave him less at the mercy of the village and the karnam and make him do his work better and maintain his self-respect.

Method of recruitment to the Provincial Service.—A word more before I close regarding the difficult but important question of the method of recruitment to the various branches of the Provincial Service in the administration outside the Imperial Services. How to secure the best men for the various branches of the service is a problem that has to be solved on some definite and well-recognised principle, however much it may be beset with practical difficulties. The method of recruitment by competitive examination which has been abandoned here after a short trial has been revived in Mysore.

In Western countries the competitive system is in full swing as about the best system available. If it has been tried and found wanting here, two questions arise: (1) has it had a fair trial and for a sufficiently long time, (2) can we hit upon a better system? The competitive system with all its faults has the merit of convincing the public mind that the winners in the competition come out successful in an open ordeal, whereas the system—if a system it can be called—of selection as a matter of pure discretion cannot but lead to grave dissatisfaction in the public mind that offices are filled as a matter of favour and not on the ground of fitness.

I feel that in simple fairness to the Provincial Service men—several of whom I have known—it must be said that they have fully answered the public expectations. The great advantage of starting young men of the best talents in the country to responsible offices after putting them to the ordeal of a competitive examination is that they develop a sense of self-respect, independence and responsibility that they owe their position to their innate merit. This is an invaluable moral asset to the service.

Even the one solid objection against the competitive system in this country that it is likely to give an undue advantage to the intellectually keen classes over those who are still backward in education can be overcome by fixing a certain proportion of the successful candidates of the backward communities as *entitled* to be chosen in preference to them. This will give a sufficient guarantee that the intellectually keen classes do not swamp the service to the detriment of their backward brethren, and it will increase immensely the efficiency of the service and satisfy the public mind that there is fair play and no favour. While I am equally anxious with Your Excellency's Government in the desire to hold the balance evenly among the various communities and bring up the backward ones, and while I may say that I for one would particularly rejoice to see the representative communities left behind in the race come up, I am only solicitous that some system should be devised to which the Government and the public could alike give their adhesion as based on a sound principle, capable of absorbing into the various branches of the service the best men available in the country.

The Hon'ble P. S. SIVASWAMI AIYAR:—May it please Your Excellency,—Before making the few remarks that I wish to offer on the budget, I beg to express my thanks to Your Excellency for the very lucid and comprehensive review of the administration of last year. It is a matter for sincere gratification that the prosperity which has prevailed in the country has enabled the Government of India to turn a share of its attention and of its resources to internal matters. The Government of India has been enabled to reduce the salt duty to a very considerable extent. It has been enabled to make grants to Local Governments for various measures of utility. It has also been bestowing attention upon a number of internal reforms which are bound to conduce to the prosperity of the country. We cannot feel too thankful to the Government of India for the resolution which they issued some time ago upon the question of free primary education. It is a wise step, and a step taken not a day too soon, and we only hope that Your Excellency's Government will help the policy with no faltering step. It is a step in the direction of universal primary education, and though the desired end may be far off, it is a matter for sincere satisfaction that the Government of the country has taken a step in the right direction. The Government of India has been liberal to us in making an annual grant for the purpose of making an advance in primary education. It has been making a grant of 6 lakhs a year for the spread of primary education. The results have not, however, been commensurate with the outlay that has been incurred for this purpose. I am glad, however, to hear from the Honourable Member in charge of the Budget, that there is to be a pause in the policy of providing school-buildings for schools which have not yet come into existence, and that the Government will rather devote its attention to the improvement of the schools already in existence, to the better equipment of these schools and to providing new schools rather than school buildings.

3-30 P.M.

I am bound to bring to Your Excellency's notice that the Educational rules and the Grant-in-Aid Code, which have been recently issued by the Department of Public Instruction, have caused no little uneasiness in the minds of school managers and of persons interested in the spread of education. It is feared that, however excellent might have been the intentions of the department in issuing these new rules, and in passing this new code, they cannot but have a disastrous effect upon education. I shall refer only to a few questions in connection with the rules and the code. In the first place, the department classifies schools into elementary and secondary schools; and, under the head of secondary schools, it includes a number of institutions which are really of an elementary character, because they lead up to the secondary school. If, for instance, there is an elementary school which teaches English in some out-of-the-way village, if the education imparted there is intended to lead up to a course of high-school studies, that elementary school is classified as an incomplete secondary school. It may appear, at first sight, that a question of classification like this cannot possibly have any effect either for good or evil. Unfortunately the results of this mode of classification are, that all the rules and restrictions, which are imposed upon secondary schools, are extended to these schools which are really elementary in character. One of the restrictions and rules is that every secondary school must be in charge of a graduate principal. That is a rule which may be applied in the case of complete secondary schools, or even in the case of secondary schools which teach up to the fourth form. But in the case of schools really elementary in character, which

teach only up to the first form, and which contain only classes or standards below the first form, and prepare their boys for the first form in a secondary school, it would be very inconvenient to require that these schools should have graduates as headmasters. It is simply impracticable for these schools to comply with this requirement. That it is desirable to have graduates as headmasters, goes without saying. If we could have a graduate as headmaster for every elementary school, no body would oppose it. But we must have regard to the existing conditions, and to the difficulties, pecuniary and otherwise, of obtaining suitable graduates as headmasters of these schools. Another consequence of this system of education is that, when a boy reading in the elementary school, wants to go to a secondary school for the purpose of completing his education, even although he might have studied for seven years in the elementary school, he will only be received into a class in the secondary school which does not really correspond to the class he was reading in, in the elementary school where he was reading, but into a class very much lower. If a student spent seven years reading in an elementary school, one would expect that he would be received into the seventh or eighth class in a secondary school, but that is not the case. He will be received only into the class corresponding to the fourth or the fifth. I may be told that the object and character of an elementary school, which is merely a feeder to a secondary school, are entirely different, that the courses of study are different and, therefore, it may not be advisable to permit students in the elementary school to be received into the corresponding classes of a secondary school. But, as a matter of fact, there has been no differentiation in the curriculum, exactly the same course of studies is followed in the elementary schools, according to the nomenclature adopted by the department, as in the other elementary schools which are also elementary, but which the department calls incomplete secondary schools. There is absolutely no difference in curriculum. If it is intended that there should be a difference in curriculum, then it should be as elastic as possible, and it should be suited to the requirements of particular classes in particular localities. What may suit a rural elementary school may not be suitable for an urban elementary school, but this differentiation of course of studies has not been adopted. I have also to point out that there are many schools of a purely elementary character which will have to teach students in purely elementary subjects, and enable them to join a secondary school. These schools ought not to be classed as secondary or incomplete secondary schools, but ought to be classed as elementary schools. If a pupil has been reading in an elementary school, as I call it, but in an incomplete secondary school, as the Director calls it, there seems to be no meaning or purpose in compelling a student who has read for seven years in that school to join the fourth class in a secondary school. That is a hardship which is felt by parents of boys and managers of schools.

Another hardship, which is anticipated to accrue from the enforcement of these rules, is the mode in which grants are made. There has been a new departure in the principles regulating the grants-in-aid to schools. Under the new rules no secondary school or college is entitled to any grant, unless it has a guaranteed income from endowments or donations or subscriptions. The mere fact that a school or a college has a respectable fee income is not considered sufficient by the department to entitle the institution to the receipt of a grant from the department. Here again the department seems to have been led away by the love of scientific classification between aided schools and financed schools; and considers that schools are not entitled to aid, unless they can show a certain amount of guaranteed income from other sources than school-fees. If this principle were to be strictly applied, I am afraid that many of the high schools and colleges which are now working would have to be closed. I am sure that the consequences which will follow the strict enforcement of these rules must have escaped the attention of Government. I take it for granted that the Government is by no means desirous of checking the progress of education, or of doing anything which will retard it. On the other hand, I take for granted that the Government is anxious to promote education all along the line, from the highest to the lowest standard. But the result of the scientific classification into aided and financed schools, and the refusal to give help to institutions which cannot show a guaranteed income, must necessarily tell upon the existence of high schools and colleges. There are a number of second-grade colleges in Tinnevelly, Coimbatore, Madura, Palghat and other places, which have been hitherto conducted with efficiency, and which have been hitherto maintained solely out of the fee income; and the grants to these colleges must necessarily suffer from a rigorous application of this rule. It

is a matter of consolation for me to hear that the Government will be prepared to consider the propriety of making modifications in these rules, not inconsistent with the maintenance of these schools in an efficient condition. I hope neither the requirements of efficiency nor the requirements of scientific classification of schools and colleges will be allowed to induce the department to withhold its help and to improve these institutions out of existence. There are certain other respects in which these rules have been expected to cause hardship, for instance, the rule requiring that in the case of incomplete schools, the headmasters should be graduates. These rules have been relaxed to some extent by the Director himself and circulars have been issued modifying the rigour of the rules, as they were originally issued.

Then I wish to say a few words on the question of the grant to the University. The Honourable Member has told us that a sum of 2 lakhs will be provided for the support of colleges and the University. The University has now passed a set of new regulations, and these regulations require that the colleges should be better equipped in the matter of libraries and laboratories and also impose stringent restrictions upon them. Many of the second-grade colleges will find it hard to comply with the regulations, unless they receive financial help. Already some colleges have intimated to the University their intention of closing. I believe four or five colleges have been closed. Though all the colleges may not be of equal merit or efficiency, it would not be proper to look with complacency upon the extinction of these colleges one by one. There are six aided first-grade colleges and a large number of aided second-grade colleges. It is the second-grade colleges that seem to me to be specially in need of support. So far as the aided first-grade colleges are concerned, while they do deserve the support of Government, several of them have got funds and resources of their own. But the second-grade colleges have, many of them, very little in the way of pecuniary endowments, and they can hardly hope to comply with the new regulations, unless they receive a substantial measure of support from Government. The principle to be adopted will, I hope, be that those colleges that stand mostly in need of financial help will receive support at the hands of Government. Some time ago there was a discussion as to whether these second-grade colleges were desirable at all. There were some who thought that the second-grade colleges should be wiped out. But the conclusion, to which the Universities' Commission appointed by Lord Curzon came, was that these second-grade colleges should for a considerable time occupy a definite place in the scheme of education in the country, and it is an aspect which hardly requires any argument to make it clear. But I shall only mention this: if all these second-grade colleges are to be closed, and the students attending them are to seek admission elsewhere, they will not be able to get admission, because there is hardly any accommodation in any first-grade college for the students attending second-grade colleges at present. Seeing that the second-grade colleges have a definite place in the scheme of education in the country, and they must be maintained, it only stands to reason that they must be maintained efficiently. If they are to be maintained efficiently, they ought to be helped by Government liberally, out of the grants made to us by the Government of India.

The Hon'ble Mr. G. S. Forbes:—Is the grant sufficient for both the first-grade and the second-grade colleges?

The Hon'ble P. S. Sivaswami Aiyar:—I think so, even if all the second-grade colleges are not to be helped, at any rate such of the second-grade colleges, as have been placed in classes 1 and 2 in the report of the Committee appointed by the Madras Government, should, I think, receive help.

Another matter which I wish to bring to Your Excellency's notice, is that the experiment of the compulsory education is worthy of consideration. It is not an experiment, which can be undertaken with reference to any large area, or at once. But I venture to suggest that the experiment may be attempted in the City of Madras itself. Taking the population of Madras which is about 5 lakhs, and adopting the proportion for calculating the school-going population, namely 15 per cent., we shall find that about 75,000 children will have to be educated. But in suggesting any measure of compulsory education we might, for the present, leave out girls. Taking the male school-going population, it will come to 37,500, or about that. A considerable proportion, though not a large proportion of this school-going population, must already be attending schools. The number of school-going children in the City of Madras, who do not attend any school, will possibly be 20,000, or something like

it. The average cost of a pupil, in a primary school maintained by a Board, is said to be a little less than Rs. 5. The cost, therefore, of giving compulsory education to about 20,000 children in addition, who do not now receive any primary education, might come to about a lakh of rupees. Considering the importance of the experiment, I venture to suggest that the cost which is likely to be incurred upon this measure need not deter the Government from embarking upon the experiment. If the experiment succeeds, then it may be necessary to consider what further ways and means there may be for extending it, subject of course to the condition as to the willingness of the people in a locality to submit to the measure, and to their readiness to take advantage of the system. It is a measure which appears to me to be deserving of consideration and introduction in an experimental manner.

I just wish to say a word in regard to Municipalities. It has often been said that the Government interferes too often with the decision of Municipal Councils in small matters. I am willing to admit, Your Excellency, that a considerable amount of control and supervision on the part of Government is necessary to prevent Municipal Councils from adopting any measure of extravagance, or otherwise misapplying public funds. But it is hardly necessary that the Government should be interfering with the decisions of Municipal bodies in small matters. It is a matter of complaint that, in matters involving an expenditure of eight annas or one rupee per mensem, the Government upsets the decisions of Municipal Councils. Even supposing that the Government is right in its decision with regard to a particular matter, the interference does not seem to be worth the while of Government. It causes unnecessary annoyance, and it serves no purpose except perhaps to diminish the sense of responsibility of members of Municipal Councils. I venture therefore to suggest that the interference of the Government with the decisions of the Municipalities in fiscal matters may be limited to cases of a serious kind which require the correction or interference of Government.

Then there is a subject in which my own District of Tanjore is interested, and I wish to submit one or two observations. Your Excellency has pointed out that the question of Railway extension is one within the purview of the Imperial Government and not within the purview of this Government. But the extension of District Board Railways is a matter which lies within the jurisdiction of Your Excellency's Government, and I feel, I shall therefore be justified in making one or two observations about the extension of District Board Railways in Tanjore. There has been a considerable amount of discussion in the Tanjore district as to the further extension of the Board Railways—whether it should be a Railway from Tirutturaippúndi to Védáranniyam, or from Kumbakónam to Mannárgudi. There are several resolutions of the District Board upon this subject. The Collector has written elaborate minutes and there have been memorials submitted to Government. I understand that the Government was of opinion, some time towards the end of last year, that the Kumbakónam-Mannárgudi line should be given preference to the Tirutturaippúndi-Védáranniyam line. If the Government were only aware of the utter absence of communication between Tirutturaippúndi and Védáranniyam, I feel that the Government would be disposed to give preference to the Tirutturaippúndi-Védáranniyam line. The late Collector of the district, Mr. Davidson, wrote an elaborate minute on the subject. Mr. Davidson described the means of communication as execrable. He ought to have described it as *nil.*

The Hon'ble Mr. M. Hammick :—I may say that the Government have issued an order consenting to the line from Tirutturaippúndi to Védáranniyam.

The Hon'ble P. S. Sivaswami Aiyar :—I am glad to hear, Your Excellency, that the line which I have advocated has been adopted by Government.

His Excellency the President :—The two lines are to be built simultaneously.

The Hon'ble Mr. M. Hammick :—The one from Nídámangalam to Mannárgudi and the other from Tirutturaippúndi to Védáranniyam.

The Hon'ble P. S. Sivaswami Aiyar :—Both the lines can be carried out with the funds of the District Board.

I wish to conclude with a few remarks upon the administration of Law and Justice in which I am interested. It was very gratifying for me to hear that the pay and the position of Sub-Magistrates were to be taken into consideration by the Government. It is a matter for regret that these Stationary Sub-Magistrates do not, as a rule,

command the confidence of the litigant public. Your Excellency will be surprised to hear, as I was myself surprised to hear some time back, that out of the Sub-Magistrates in the Tanjore district, 75 per cent. are corrupt and that out of 19 Sub-Magistrates 3 alone are said to be honest. I have heard that from a person who is himself a Sub-Magistrate, and from a person who has defended Sub-Magistrates. There is no lack of disposition to run down Sub-Magistrates, whenever they can be got at. All the same, there is the fact. I am afraid, Your Excellency, that, though the same state of things may not prevail in other districts, something similar to it is likely to prevail. It may not be 75 per cent. but it is likely to be 50 per cent. It is hardly likely that the character of the Sub-Magistrates will be so very bad in one district and be exceptionally good in other districts. There are various reasons for this state of things, one of which is the low pay which they receive and another is that they start their career as clerks on Rs. 15 or Rs. 20, work their way up gradually and find themselves appointed as Sub-Magistrates after 20 years' service. They find that, at the end of 5 years, they have to retire, and feel that they have to provide themselves with the means of competence after retirement. It is a circumstance which the Government has to take note of and take steps to remedy. The provision of better salaries would be one means of putting an end to this corruption. Another means would be to appoint men as Sub-Magistrates not from the clerks who have begun from the lowest rung of the ladder, but from people who have had a more decent pay to start with. Another reason, Your Excellency, why these Sub-Magistrates do not command the confidence of the litigant public, a reason which I submit with all respect, is a circumstance which is also to be deprecated, and that is the constant interference of the District Magistrates with the Stationary Sub-Magistrates. I dare say it will be said that when you find Sub-Magistrates so corrupt, there should be District Magistrates, pulling them up to correct, if not in a formal and official way at any rate by private hints and so on. As a matter of fact these private orders—I do not know what they call them, circulars, demi-officials or private letters—are said to be extremely numerous and Sub-Magistrates often complain about them. If a Sub-Magistrate inflicts light fines, the District Magistrate comes down upon him. If a Sub-Magistrate thinks that a man who concealed two pies worth of salt should be fined Rs. 2, the District Magistrate thinks that he should be fined more severely. In various other ways, the interference of the District Magistrate with the independence of the Sub-Magistrate tends to destroy all confidence in the minds of the public in the integrity and the independence of the Sub-Magistrate. The real remedy appears to me, Sir, to be to place these Sub-Magistrates under the control of Sessions Judges. The placing of Sub-Magistrates under the control of Sessions Judges, a better mode of recruitment and a somewhat more decent scale of salary, are the measures which, in my humble judgment, have to be adopted to improve the status and character of our Sub-Magistrates.

Then I pass on to another question, which has recently been brought to my notice and which I believe is true, that respectable persons are very unwilling to serve as jurors and one of the many reasons for it is the entire lack of waiting accommodation for the jurors. In many districts there is really no accommodation provided for jurors. Your Excellency must not judge of what obtains in the mufassal court from what obtains in the Madras High Court. There is no place where the jurymen can wait before they are called. There are many other reasons why respectable men refuse or evade the service of summons to attend as juror. This is one of them, and it is a matter in regard to which steps can, I think, be easily taken to remedy the defect. The list of jurors of course needs revision, but that has been several times brought to the notice of Your Excellency's Government.

I pass on to a somewhat more delicate ground, and I may preface my remarks by saying that they are directed entirely against the system, and not against any individual. It has often been observed that the Members of the Civil Service who have had to administer law, have no legal training which will enable them to discharge their duties to the satisfaction of the public. I know as a matter of fact, that after their selection in England they are supposed to pass an examination in the Penal Code, the Criminal Procedure Code and Law of Evidence ; but seeing that any failure in the examination will mean the rejection of the candidate, it is probable that the examinations are somewhat of a lighter character. Whatever that may be, before a civilian is clothed with judicial powers, whether they be in Criminal or Revenue matters, it is certainly desirable that steps should be taken to provide him

with suitable legal training. I am not suggesting any measures for the recruitment of the judicial service entirely from the legal profession, or any measures of a drastic character. I take the facts as they are. I take it that the judicial service is, and will be largely recruited from among the Members of the Civil Service, and accepting that fact, I venture to suggest that the Members of the Civil Service who are called upon to discharge judicial duties, whether in Civil or Criminal or Revenue matters, should be required to undergo some legal training. What the precise methods should be, Your Excellency's Government must decide, and it is not necessary for me to discuss them. I may suggest that, before they are clothed with criminal powers, they may be asked to attend the High Court for six months, attend the trial of Sessions Cases, the trial of original suits and the hearing of regular appeals; and they might, for a further period of three months, be asked to attend a Sessions Court in the mufassal. This requirement of attendance at the High Court and at the mufassal Sessions Court will, to some extent, provide them with some amount of legal training, and will ensure the acquirement of judicial habits. It may also be provided that, before they are appointed to discharge judicial functions, they should be asked to undergo an examination. Before they are appointed District Judges they might be asked to undergo an examination in the subjects of Civil Law; and before they are appointed as Magistrates, they may be asked to undergo an examination in subjects of Criminal Law and Revenue Law. Considering that they have to administer law and justice, is it too much to require that they should receive a good legal training? And can it be said that they do now receive a satisfactory legal training? So far as civil work is concerned, they acquire the training after their appointment as District Judges, and as regards the knowledge of Criminal Law, they mostly acquire their knowledge after their appointment as Magistrates. Instead of allowing them to acquire their legal knowledge and training at the expense of suitors or litigants, it will be a far more advisable method to insist upon their acquirement of this knowledge by some other means like the one that I have suggested. It is not for me to suggest the precise method that should be adopted; I wished only to bring the matter to Your Excellency's notice for consideration.

Then I pass on to one other question, that is, the constitution of the High Court. Your Excellency is aware that in the statute, the High Courts Act, there is a section which lays down the proportion in which the High Court Judges are to be appointed—that they are to be recruited from certain sources and in a certain proportion. According to that proportion if there were six Judges in the High Court, two could be Indians, two could be members of the Civil Service and two could be Barristers; but if the number is raised to seven, one only could be an Indian, and the other members of the High Court must be recruited, either from the Civil Service, or from among Barristers. There might have been perhaps some reason for requiring the minimum in the case of Barristers and the members of the Civil Service at the time that the High Court Act was enacted. It was possible that persons with suitable qualifications might not be forthcoming from the other source mentioned in the section. But that state of things has long passed away. It is pointed out by the Public Service Commission that the experiment of appointing Indian Judges has proved a success. It has contributed vastly to the efficiency and the popularity of the High Court. That the Indian members of the High Court are a source of strength to the High Court, has been acknowledged on all hands. I may also point out that the Public Service Commission recommended that, if the number of Judges of the High Court, which was then fixed at five, was raised to six, the number of Indian Judges might be raised to two, If the number of Judges should be raised to seven, the statute is in the way of appointing two Indian Judges. Only one can be appointed. That must certainly be admitted to be an anomaly, a senseless anachronism. If not on the high ground of justice, at least on the low ground of efficiency, I ask Your Excellency's Government to take that matter into consideration, and to get the Act modified, because it is understood that unless the Act is modified, this anomaly must continue to prevail. It has been suggested to me in some quarters that there will be difficulties of drafting. But they are not difficulties which cannot be surmounted. If it is provided that appointment should be filled, in as nearly the same proportion as possible, from such and such a class—the members of the Civil Service, Barristers, Indians in Judicial Service and in the legal profession—that would certainly get over the drafting difficulty presented in some quarters. I plead very strongly, Your Excellency, that the matter is one which deserves the earnest consideration of Your Excellency's Government; and I venture to

hope that Your Excellency will see it fit to have this anomaly redressed, and to urge upon the Secretary of State the necessity for amending this statute, if not in the interest of justice, at any rate in the interest of efficiency.

The Hon'ble the RAJA OF KOLLENGODE :—In taking part in the first Budget debate after I have had the honour of sitting in this Council, it affords me great pleasure to be able to congratulate Your Excellency's Government on the prosperous state of the finances, as is indicated by the increases under most items of revenue and also by the increased expenditure in many useful directions. It is particularly fortunate that, on account of the general prosperity of the country, the Imperial Government have found their way recently to make a further reduction in the salt duty ; and I beg to associate myself with the other Honourable Members who have preceded me in begging Your Excellency to be so good as to convey to the Government of India the grateful thanks of the vast population of this Presidency for the much-needed relief granted to them. It is also a happy augury that a third instalment of relief in this direction should have been given so soon after Your Excellency assumed the Governorship of this Presidency, and I entertain the hope that, before Your Excellency's term of office is over, this tax will have been a thing of the past.

4-20 P.M.

The prosperity evidenced in the budget appears to be due, in no small measure, to the fact that the year 1906-1907 was, on the whole, a favourable one for agriculture. Agriculture is the staple industry of the country, and notwithstanding any amount of development in other directions, it will, I feel sure, continue to furnish occupation to the majority of the people. It is therefore a matter for congratulation that, within the last few years, the improvement of this important industry has been engaging the special attention of Government, and I beg to take this opportunity to say a few words in appreciation of the labours of the Hon'ble Mr. Castlestuart Stuart who, during his term of office as Director, devoted himself with great zeal to the development of the Agricultural Department, to the organization of agricultural associations all over the Presidency and to the holding of exhibitions and cattle-shows. Your Excellency has already identified yourself with this important movement, and I sincerely hope that, before Your Excellency lays down the reins of office, you will have the satisfaction of seeing considerable progress in this matter. I beg to commend for favourable consideration the question of giving some financial help to the Madras Central Agricultural Committee and to the District and Branch Agricultural Associations, as for want of funds the activities of these bodies are to some extent cramped.

Closely allied to agricultural development is the organization of Co-operative Credit Societies, and I am glad to see that the progress made in the institution of these societies is, to use the words of Government, satisfactory, and that their operations are on the whole being conducted on business-like principles, and that they are calculated to conduce to the encouragement of genuine co-operation and thrift. The earnest labours of the Registrar, Mr. P. Rajagopalachariyar, are warmly appreciated by the ryots, and I have no doubt that the interests of the agricultural classes will be greatly furthered by the formation of more societies all over the Presidency.

It is also a matter for gratification that Government have placed a Deputy Collector on special duty to encourage well-sinking and to extend and facilitate the grant of loans to ryots for agricultural purposes, as it is the want of capital that chiefly hampers the ryots in making many necessary improvements.

Another matter of importance to the agricultural population is the construction of branch railways. In this respect, I fear that the Madras Presidency has not been receiving adequate recognition of its needs at the hands of the Imperial Government. There are several branch railways practically promised to us two or three years ago, which will now lie over, because during the year 1907-1908 no new line will be taken up for construction. I may mention specially the Dindigul-Palni-Palghat Railway which was given the first place in the Railway programme for the triennium commencing with 1906-1907, but which, however, has been now indefinitely hung up. This will be a great disappointment to a large agricultural population living in a tract of country which is now indifferently served in the matter of communications. But, from the sympathetic manner in which Your Excellency deals with matters calculated to improve the country, I feel sure that Your Excellency will take every opportunity that may occur to you to press our claims in the matter of branch railways on the Government of India.

There are a few other matters of importance in regard to which I beg leave to make some observations. One is the mismanagement of Hindu religious and charitable institutions, which is becoming an evil of increasing magnitude. At present, these institutions are mostly governed by Act XX of 1863. While this regulation has succeeded in attaining the object which Government probably had in view, namely, to relieve them of all direct responsibility for the management of these institutions, the institutions themselves have suffered considerably, partly on account of the misconduct of individuals, and partly also because the machinery provided for punishing such misconduct does not work effectively. In the matter of the religious institutions of the people, the administration of British territory compares, I fear, somewhat unfavourably with that of Native States. The Devasam departments of Travancore and Cochin and the Muzarai department in Mysore are entrusted with the management of the religious institutions of the people of those States. And if my information is correct, even under the Muhammadan Government of Hyderabad, Hindu religious institutions are better managed than in British territory. I quite see that the policy laid down by the Government of India does not permit any direct interference on the part of Government in the matter of Hindu and Muhammadan religious institutions. I also admit that the present unsatisfactory state of affairs is materially contributed to by the want of organization and by the absence of adequate public spirit among my own people, but I deny that the blame can be wholly laid upon us. On the other hand, it has always been contended by us that Act XX of 1863 is defective and in some respects practically unworkable. And in this connection, I beg leave to invite reference to the remarks made by the Hon'ble Mr. Sivaswami Aiyar the other day at Tanjore when he complained of the supineness of Government in a matter of such deep concern to the people, and when he mentioned specific suggestions for the amendment of the law on the subject. In consideration of these contentions, and in consideration of the serious nature of the evil complained of, I beg respectfully to suggest that a small committee be appointed, consisting of a few selected officials and a few non-officials, to enquire into the present condition of the religious institutions of the people, and into the working of Act XX of 1863, and to suggest such measures as may tend to improve matters without in any way infringing the declared policy of Government—not to be associated with the management of the institutions of religions that are not their own.

I note that there has been a substantial increase of expenditure on the Police Department in giving effect to the recommendations of the Police Commission. The introduction of a greater number of Indians into the higher ranks of this department and the creation of a class of Sub-Inspectors to have charge of stations, will, I am confident, improve police work. In connection, however, with this subject, I crave leave to observe that if any real improvement in the administration of criminal justice is to be brought about, the pay and prospects of Subordinate Magistrates must be substantially bettered. Government are aware that, since the scheme for relieving Tahsildars of magisterial work came into operation, nearly 15 years ago, the administration of criminal justice in this Presidency is almost wholly in the hands of officers of the grade of Deputy Tahsildars, men who draw either Rs. 100 or Rs. 120 per mensem. It seems anomalous that, whilst the lowest courts of civil justice are officered by men who are fairly well paid and who are recruited chiefly from the High Court Bar, the corresponding courts of criminal justice should be officered by men whose pay and whose qualifications are so much lower. The inequality between the pay of Police Inspectors and that of Sub-Magistrates, which was perceptible even before the re-organization of the Police department, has now become more marked. The present scale of pay of Sub-Magistrates was, I believe, fixed about 15 years ago; but prices have considerably risen since then, wants have increased, and the standard of life is now generally higher. With substantially improved pay, Government would be able to officer the Subordinate Magistracy with a better class of men than now find their way into that branch of the service. But it is a matter for gratification to know from what the Hon'ble Mr. Forbes said just now that this matter is now under the consideration of Government and that something will be done in the course of this year to better their pay. When this is done, I feel sure, there will be a decided improvement in the administration of criminal justice.

While on the subject of the public service, I believe that I am voicing the feelings of a very large number of people when I say that they view with sorrow the recent policy of Government against competitive examinations as a test of the fitness

of our young men for admission direct into the higher ranks of the public service. I am not aware what the grounds are on which a change of policy has been arrived at. It could hardly be on the ground that the men who were obtained by competition were not up to the mark. So far as public opinion goes, it may be said without hesitation that the officers who were recruited by competitive examinations were more satisfactory in every way than those who rose from the ranks. After all, one of the chief points which has to be borne in mind in recruiting men for the public service is efficiency, and the qualities which tell in favour of a young man as a student, such as intelligence, industry and steadiness, are also the qualities which tell for success in life. If recruitment by competition is good for the Indian Civil Service in securing for that service the most capable young men available, I submit that it should be good also for the Provincial Services in India. As matters at present stand, a young man who aspires to enter the higher ranks of the Provincial Executive Service has to start life as a clerk on Rs. 25 or so, and to work his way up through the clerical ranks. One evil effect of this system is that the most capable graduates of the year prefer the Bar to the Public Service, and the loss is not so much theirs as that of the service. Officers like Messrs. P. Rajagopalachariyar, R. Ramachandra Rao, M. Ravi Varma Raja and T. Ragaviah would not probably be now in Government service if they had been asked to start on a low salary and to work their way up through the subordinate service. The fitness of our people for higher employment is judged by the way in which they do their work in the Provincial Service. The public is therefore interested in seeing that the best intellects available enter that service, and a state of things which practically shuts out the best young men available is to be regretted. I admit that the reasonable claims of those who have already entered the subordinate executive service must be fully considered, and it is not suggested that they should be shut out from promotion to the higher ranks. A certain definite percentage however of the posts in the grade of Deputy Collectors, say one-half, might, I think, with advantage, be recruited by direct competition among young graduates. I beg in this connection to bring to Your Excellency's notice that the system of recruitment by direct competition has recently been revived in Mysore, after a short period during which it was in abeyance, and it was expressly declared that it was on the ground of efficiency that the competitive system was restored. I feel that there is more to be said on this question, but what I have said is probably enough to show its importance.

One of the most satisfactory features connected with the administration during recent years, is the increasing attention given to the important subject of education. Though there may be considerable differences of opinion in regard to matters of detail, the fact remains that Government has been of late spending more largely on education than hitherto and this is recognised with thankfulness by all who are interested in the progress of the country. Speaking of education, there is one small matter which I beg to bring to notice, and that is, the absence of a Government college for girls in the Madras city. This is a want which has begun to be felt. It is true that girl-students in the city of Madras are admitted into colleges that are primarily intended for boys; but such an arrangement is, in this country at any rate, of questionable advantage. In any case, caste Hindu girls, however anxious they may be for higher education, are unable to join existing colleges. I therefore beg to suggest for favourable consideration the institution of a good high school in some central locality in the city of Madras, to be developed later on into a college, on the lines of similar institutions in the States of Mysore and Travancore. I am aware that the training school at Egmore teaches up to the Matriculation standard; but as it is the primary object of that institution to turn out teachers, the pupils are, as it were, merely subjects on whom the apprentice teachers practise their craft, and the education is naturally not of a kind which would meet the requirements of girls who go to school in a real desire for higher education.

For a few minutes no Honourable Member rose to speak, and eventually the Hon'ble M. Krishnan Nayar rose up and said :—I am likely to take half an hour and I do not know what the convenience of Your Excellency may be.

His Excellency the President :- It is only half past four and I am prepared to stop here till 5–30. If nobody wishes to speak, I propose to close the discussion.

4–35 P.M.

The Hon'ble M. Krishnan Nayar :—I wish to associate myself with what my friend the Hon'ble Mr. Sivaswami Aiyar said with reference to Your Excellency's speech this morning. I thank Your Excellency very much for that speech, and I also beg respectfully to congratulate Your Excellency on that speech. It was a very interesting and

informing one; it was also sympathetic, and in many places it breathed a genuine love for the people of this Presidency.

I also beg leave to congratulate the Honourable Member in charge of the Financial Statement on his able and interesting memorandum which has been placed in the hands of the Honourable Members and the lucid explanation with which it was accompanied to-day. It used to be a matter of complaint in the past years that the Financial statement was not sent to the Honourable Members sufficiently early to enable them to study the various points dealt with in it. This ground of complaint, it is satisfactory to note, does not exist this year as the Financial Statement was this time supplied to us about a fortnight ago. I may also be permitted to state that this year's statement contains more details than the statements of the past years.

On behalf of my constituency I thank the Government of India for the recent reduction of the salt tax. It is a tax the burden of which is felt particularly by the poorer portion of the population. It is hoped that the Government of India will at no distant date abolish the tax altogether.

It is also a matter for satisfaction that the arrangement which prevailed hitherto and under which the cost of famine relief was borne entirely by the Provincial Governments has now been changed and a more equitable arrangement substituted in its place. Hereafter the expenditure on famine relief will be, in effect, wholly Imperial or partly Imperial and partly Provincial according to the intensity of the famines.

The amount of land revenue collected by the Government shows a steady increase year after year. The amount of this revenue according to the budget estimate for the year that has just commenced is so high as 631·18 lakhs. This increase is due, it is stated, partly to the contemplated introduction of resettlement rates in certain portions of the districts of Cuddapah, Kurnool, Chingleput and Tinnevelly. With reference to this contemplated introduction of resettlement rates in these districts, I implore Your Excellency's Government to issue particular instructions to the various Settlement-officers concerned to exercise moderation in their demands and not to depart in practice from the principles that are generally laid down for their guidance. The principles themselves are often good, but they are not adhered to in the actual working of the Settlement department. One of these principles for instance is that improvements made by the ryots are not liable for taxation. This principle is followed more in the breach than in the observance. In a remarkable speech delivered the other day in this city by Justice Sir Subrahmanya Aiyar, one of the most respected of our countrymen, he observed that though the Government officials said that in revision of settlements they did not tax the improvements of the ryots his own impression was that the officials were not correct in saying so and that the system followed in settlements was one which could not possibly avoid taxing the improvements. The experience of the people of Malabar in the recent settlement of that district fully supports the observations of Sir Subrahmanya Aiyar. In Malabar in no case were improvements exempted from taxation. I make this statement deliberately and with a full consciousness of my responsibility in making it. In the case of paddy lands, for instance, many lands had been converted at the expense of the people from *parambas* (waste lands) into one-crop lands, and similarly many one-crop lands had been converted, also at the expense of the people, into two-crop lands. Low-lying waste lands at the foot of hills had also in many cases been converted at enormous cost into cultivable paddy lands. All these lands were assessed in the recent settlement in Malabar according to the state in which they were found at the time of inspection by the settlement-officers as if no improvements had been effected on them. So also in the case of cocoanut gardens; these too were assessed according to the condition in which they were found by the Settlement-officers, irrespective of the fact whether these gardens were the result of improvements effected by the people or not. Therefore it is, Your Excellency, that I request Your Excellency's Government to issue the special instructions mentioned above to the officers who may be employed in the settlement operations in the aforesaid districts. Last year at the time of the discussion of the Financial statement the Hon'ble Mr. Stokes speaking on behalf of the Government about the Tinnevelly settlement said that the Government would, to the very utmost of its power, give such a very important matter as the settlement of Tinnevelly the very fairest and the most sympathetic consideration of which it was capable. I hope that the Government will be pleased to bestow similar consideration on the settlement in the districts of Cuddapah, Kurnool and Chingleput.

This morning, Your Excellency and the Hon'ble Mr. Forbes referred to the increase of pay granted to police constables, and the contemplated increase of pay to the jail warders and the clerks of the Registration department. But there are clerks in other departments of the public service that receive like the clerks in the Registration department only small salaries like Rs. 15, and wish to enlist the sympathy of the Government on their behalf also. The hard lot of this class of useful public servants has recently formed the subject of much discussion in the public press. These clerks play a very important part in the administration of the country. Often they have to work at great distances from their homes, and sometimes in places that are uncongenial and expensive, and amidst surroundings which are monotonous and depressing. Lord Curzon speaking of them once said "it seems to me that they were a most industrious "and painstaking body of men labouring for long hours at a task which, though it "tends to become mechanical, is very far from being lifeless but demands qualities "of diligence and accuracy and honesty of no mean order." He expressed a hope that the Government would always be considerate to them and mindful of their services. Very often these clerks being unable to finish their work in their offices are obliged, as remarked by the Hon'ble Mr. Srinivasa Rao, to take bundles of papers to their houses and work there during nights and on Sundays and other holidays. The rates of their pay were settled many years ago when the cost of living was cheap and the requirements of an official comparatively few. The conditions of living have thoroughly changed since then. Rent of houses, and the price of food-grains and of other articles necessary for human living have risen. Change of taste and change of circumstances have created new necessities. The Board of Revenue have changed their "normal", "warning" and "scarcity" rates fixed only about ten years ago. Rupees 15 is no longer sufficient for a clerk to live on. In ordinary eating houses in the country where Indian travellers are supplied with food a person has to pay As. 2–6 for a simple and frugal meal. On this basis a man requires about Rs. 9 a month for his food expenses alone assuming that he eats only twice a day. Clerks have very often their aged parents and other members of their families depending upon them for their maintenance and all other kinds of support. They have often to live in rented houses. A pay of at least Rs. 30 is necessary for a decent living for a clerk at the present day. The low pay that obtains now must necessarily make a clerk discontented, and has a tendency, as a local paper says, to make him run into debts and ultimately ruin himself or to make him dishonest. The condition of a bricklayer or a stone-mason who gets As. 12 or Re. 1 a day for his labour is much better than that of a clerk who gets a pay of Rs.15 a month. I am not drawing a highly coloured or an exaggerated picture. The condition of these clerks was brought to Your Excellency's notice by means of an interpellation in this Council in November 1906, and I regret to observe that the answer of the Government on that occasion was highly disappointing. The subject is a serious and important one. It is not desirable that a large body of useful public servants should be treated in what I may be permitted to call a miserable manner. Considerations of humanity itself apart from other considerations should, I venture to think, influence Your Excellency's Government to view the case of these clerks favourably. Last year the Hon'ble Mr. Stokes said "the Government of India thinks in crores of rupees; we think perhaps in hundreds of rupees, sometimes thousands and on rare occasions get as far as a lakh". My request to the Government does not necessitate thinking in crores. It is not an impracticable one in any way. The coffers of Government are now full and I hope and trust that my appeal to the Government on behalf of these clerks will not have been made in vain.

The next point to which I wish to draw the attention of the Government is the effect of the operation of the new Grant-in-Aid Code and the new Educational Rules. This Code and these rules bring about a revolution in education in this Presidency, and must in the immediate future strike at the root of higher education. According to the new rules, schools for general education are divided into two classes, elementary and secondary; the former being in the language of the department "schools adapted in the main for the elementary education of the masses, that is, for children unlikely to continue their education beyond the elementary stage", and the latter being "schools whose main object is to lay a foundation for higher education". There are also different sets of rules governing these two kinds of institutions. The distinction between an elementary schoool and a secondary school is thus a clearly drawn one. Provision is, however, made for the transfer under certain conditions of pupils from an

elementary to a secondary school. It is also authoritatively laid down that the rules governing recognition of schools will hereafter be made more stringent in the case of secondary schools though a reverse policy will be adopted in the case of elementary schools. "The majority of boys who are likely to take up higher education are," in the opinion of Government, "generally sons of educated or well-to-do men living in towns . . . . . . ". This opinion of the Government also indicates the policy which is likely to be adopted in future with reference to the recognition of secondary schools. A perusal of G.O., No. 356, Educational, dated 21st May 1906, and of the Proceedings of the Director of Public Instruction, Dis. No. 3833, dated 5th June 1906, leaves an impression in the reader's mind that secondary schools will in future be recognised generally only in towns and not in rural parts. The policy thus indicated will by itself apart from other causes prevent the spread of secondary education in future.

Even though the authorities having regard to "the educational needs of the locality" may be prepared to recognize secondary schools in rural parts, the new Educational Rules and the new Grant-in-Aid Code practically render except in rare cases the maintenance of secondary schools whether in towns or country parts a matter of extreme difficulty. The majority of the existing aided secondary schools are able to maintain themselves with the assistance of the school fee income and the grant-in-aid. The school fee income alone is generally not sufficient for their upkeep. It is the grant-in-aid that enables them to maintain themselves. Deprived of this grant-in-aid they will be obliged to close their doors. Till now the proprietors or managers generally had not themselves to contribute any money for the purpose of the school. The whole of the excess amount necessary for the expenditure of the school over and above the school fee income was supplied as grant-in-aid. According to the new Grant-in-Aid Code this will no longer be the case. Hereafter it is only a portion of the amount necessary for the expenditure of a school over and above the school fee income that will be paid as grant-in-aid. The other portion will have to be met out of the income guaranteed from endowments, subscriptions, donations and other private sources. The amount that will be paid as grant-in-aid will, hereafter, be ordinarily equal to the amount guaranteed from endowments and other private sources. Thus the excess amount necessary for the expenditure over and above the school fee income will in future have to be shared equally between the management of the school and the Government. It becomes therefore requisite for the management hereafter to find some money from private sources for maintaining the school. The majority of the schools will be unable to do this, and they will have to be closed. It also follows from the rules of the new Grant-in-Aid Code that unless the management of a school is able to point out some guaranteed income from a private source in addition to the school fee income, that school will not be entitled to any amount as grant-in-aid. (The rules referred to here are rules 32 and 33 of the new Grant-in-Aid Code.)

While the amount of grant given to schools is thus considerably reduced on the one hand by the new Grant-in-Aid Code, the cost of maintaining a school is considerably increased on the other by the new Educational Rules. Rules 23, 28 and 29 are particularly important in this connection. Rule 23 provides that the headmaster in every secondary school, "complete" or "incomplete," the former containing the three highest forms and the latter not, should be a trained graduate, and that at least three other teachers in the case of schools containing all the three forms IV, V and VI should also be trained graduates. So far as incomplete secondary schools are concerned, this rule is an innovation having disastrous consequences. Many of these incomplete secondary schools teach and will continue to teach only up to the third form. The headmasters of these existing institutions are now generally trained Matriculates or trained First in Arts men. It is very seldom that these institutions have now trained graduates as headmasters. A trained graduate cannot be had on a salary of less than Rs. 50 or Rs. 60 per mensem. Sometimes it is not possible to get trained graduates even for this pay; and I shall fully be corroborated in this by the Honourable the Director of Public Instruction. The cost therefore of employing a trained graduate in accordance with the rule is practically prohibitive. Again rule 28 provides that there should be a teacher for every class in addition to the headmaster. A headmaster is thus supernumerary. This was not the case under the old rules. A costly trained graduate headmaster is thus rendered a necessity by the rule. He is for all practical purposes an expensive luxury; as an ideal, it is good to

have such a headmaster as an additional master to co-ordinate the work of the other masters; but in practice it is unworkable in the existing state of the country. Again rule 29 declares that no class shall contain more than 40 pupils. According to the old rules a class was allowed to contain 50 pupils. The cost of maintaining a school has thus increased in various ways. The educational authorities themselves have, as stated a few minutes ago, found that the new rules are unworkable and have accordingly issued instructions and promulgated circulars modifying these rules. But these instructions and circulars practically leave the difficulties where they were. For instance one method by which it is sought to mitigate the rigour of these rules in the case of incomplete secondary schools is the adoption of a system of grouping the schools. Under this system, if an incomplete secondary school attaches itself to a complete secondary school and if the manager of the incomplete school so attaching itself to a complete secondary school agrees to put it under the supervision of the headmaster of the complete school to which it is attached, and if that supervision is likely, in the opinion of the Inspector, to be real and effective, then the rigour of these rules may to some extent be relaxed in the case of that particular incomplete school. This system of grouping does not improve matters at all. In the first place, it does not repeal the rules. Secondly, the circulars introducing the system leave practically everything to the discretion of the Inspector. Again, the headmaster of the complete secondary school is to consent to exercise the proposed supervision, and this supervision is purely voluntary and for various reasons it is not likely to be exercised, at all events effectively, in many cases. "This system of grouping is a subterfuge by means of which the portion of rules 23 and 28 which deals with a separate graduate headmaster for every secondary school may be avoided for the present. There are many obvious difficulties in the way of the smooth working of this, but it is the only way by which the extra expense under rules 23 and 28 of providing a graduate headmaster may be avoided for the present . . . . In cases where the working of the system is detrimental in any way, the department reserves to itself the right to insist upon the fully qualified staff prescribed in the Madras Educational Rules, Fifth Edition." In these circumstances, the rigour of the original rules can hardly be said to be modified by the subsequent instructions and circulars.

Another rule relating to secondary schools which is of great importance and which I wish to bring to Your Excellency's notice is rule 47, particularly clauses (2) and (3). Clause (2) of rule 47 says that "if a pupil does not produce a transfer certificate from a recognised secondary school," in admitting him into another secondary school, "he shall not be placed in a class higher than the fourth class" which corresponds to the fourth standard in an elementary school, "provided that if he produces satisfactory evidence that he has received suitable instruction but has not attended any school, he may be placed in a higher class with the sanction of the Inspector." This means that if a pupil was studying in an unrecognised school, whatever his qualifications may be, he has to begin his studies from the fourth class in a recognised secondary school when once he makes up his mind to join it. This penalty which is imposed upon unrecognised schools and the pupils studying in them is out of all proportion to the gravity of the offence of keeping an unrecognised school. A person may out of charity or philanthropy maintain an unrecognised complete secondary school at his own cost. It may be reasonable to deprive that school of all the advantages of recognition, but it is unreasonable, I venture to think, to compel a boy who has studied up to the sixth form in that school and who wants to join a recognised school to begin again from the fourth class in that recognised school. This clause 2 of rule 47 leads also to other unnecessary difficulties. For instance, if a parent instead of sending his son to a school has taught him at home up to the sixth form, that boy can under the rule be admitted into the sixth form in a recognised school "only with the sanction of the Inspector" who will give his sanction on "production of satisfactory evidence" that the boy has received "suitable instruction." The Inspector has his own legitimate work to attend to. He may also be engaged far away from the boy's home. For these and various other reasons, it may be extremely difficult, if not impossible, to get the necessary sanction from the Inspector. The particular form into which a boy is to be admitted must, I submit, be left entirely to the discretion of the headmaster.

Then with reference to clause (3) of rule 47, that clause lays down that if a boy leaves an elementary school to join a secondary school, he may, under certain conditions, be admitted into the fourth class, corresponding to the fourth standard, of that

secondary school, but he shall not under any circumstances be admitted to a higher class than that. This is hard. An elementary school may consist of seven standards, the seventh standard corresponding to the third form of a secondary school. After passing through the seventh standard a boy naturally expects to be promoted to the fourth form in a secondary school. But the clause in question prohibits this, and directs that he should begin again from the fourth standard called fourth class in a secondary school. This is not satisfactory. It may, no doubt, be said that the objects of elementary schools are different and that parents who are desirous of giving a higher education to their children must at the very commencement send them not to elementary but to secondary schools. But, Your Excellency, we must take people as they are. In many cases especially in country parts guardians of children do not make up their minds in the beginning as to whether they are to be given higher education or not. It is only as boys are promoted from class to class that guardians gradually make up their minds as to the form of education to be given to them. Many of the graduates of the present day did not commence their studies originally with a view of taking their degrees, nor did their parents put them to school in the beginning with a view of imparting collegiate instruction to them. Then again, as mentioned above, secondary schools are likely to exist generally only in towns; and parents in rural parts, even though they may make up their minds at the very commencement to give higher education to their children, will naturally be unwilling to send boys of tender ages to distant places. But they will readily send their young boys to elementary schools in the neighbourhood. The rule in question is thus a retrograde one and will, if worked rigorously, decrease the number of English knowing men in the country.

I have not here referred to the other new rules which are also of a retrograde nature for fear of trenching upon the patience of this Council.

Thus the combined result of the policy that is likely to be pursued in the recognition of schools, the new Grant-in-Aid Code and the new Educational Rules will be to arrest the progress of secondary education, and with that, of collegiate education in this Presidency. For it is only through secondary schools that students go to colleges. This result, Your Excellency, is not a pleasant one to contemplate.

The Government and the people devote a great deal of attention to the cause of primary education. The importance of primary education cannot be exaggerated. The Government of India propose to make primary education free and have invited the opinions of the provincial Governments on the proposal. I venture to divine that Your Excellency's Government will strongly support the proposal and I am encouraged in this prophecy by the speech which Your Excellency made this morning. The people are thankful to the Government of India for this contemplated measure of beneficent reform. But primary education, however important it may be, is not every thing. Higher education is also essential for a country's greatness. No country or nation that contained only men that could read and write ever became great in this world. To make a nation great, breadth and height of learning are both necessary. Therefore it is that I thought it fit to make these remarks about secondary education. It is perhaps needless to add that I make these observations not in a carping spirit, but only with a view of bringing what I in common with many others consider to be serious defects in the new Grant-in-Aid Code and the new Educational Rules to the notice of the Honourable the Director of Public Instruction whose experience in matters educational is as varied as it is extensive, the Hon'ble Mr. Forbes who, I believe, is in charge of the educational portfolio, and Your Excellency's Government generally so that these defects may be remedied.

I wish also to say one word about the Registration department. It is not necessary to make any long statement regarding it. My friend, Mr. G. Srinivasa Rao, of Madura, when he was in this Council used year after year to urge the claims of the officers of this department upon the attention of the Government. Of all the departments under the Government, this department particularly is manned by educated men. A large majority of the Sub-Registrars are graduates. Their pay is comparatively low, and their promotion is far from being rapid. The department is making a large surplus every year. This surplus is also annually increasing. It is therefore only just and proper that the pay of the Sub-Registrars should be increased. I hope that the Government will be pleased to consider and give effect to this suggestion during the course of the current year. It is also desirable that the charges for

registering documents should be reduced. The revenue under this particular head, namely, "fee for registering documents", continues to show a steady rise. A large part of the revenue of the department is made up of the value of the stamp papers on which the documents are written. It is not equitable that more money than is absolutely necessary should again be collected from the people by way of registration fees. It is not, I venture to say, just and proper that a department which was organised for the purpose of preserving a correct record of private transactions that take place between parties should be made a source of income to Government.

With reference to the pay of Sub-Magistrates, the observations that I wished to make have become unnecessary. The Hon'ble Mr. Forbes states that it is under contemplation to increase the pay of Sub-Magistrates. Last year he echoed the same sentiment, namely, that it was a desirable reform, but the only difficulty that he then suggested was with regard to finding funds. I wish also to echo the sentiments expressed by the Hon'ble Mr. Sivaswami Aiyar in connection with Sub-Magistrates. I am very sorry to endorse his observation, which is only too true, regarding the honesty of Sub-Magistrates. As I stated at the discussion of the budget in 1904 and in 1905 during the time of Your Excellency's predecessor, in my own district there is a large number of honest Sub-Magistrates, but there is also a large body of Sub-Magistrates who are otherwise. It is due partly to the system of recruiting them. The system of appointing Munsifs from the Bar has had a very good result. Our Munsifs are, as a body, honest and respectable men, though there may be black sheep here and there. But the same thing cannot be said of Sub-Magistrates. It is due to the system of recruiting them. Generally the clerks in Government revenue service gradually rise from Rs. 15, and by the time they get old, they naturally forget the little law which they learnt when they passed their examinations; and also on account of various causes they do not happen to be so honest as they ought to be. If the system of recruitment is changed our Sub-Magistrates are likely to improve.

When I am on the question of Sub-Magistrates, I also suggest to the Government the desirability of supplying the Law Reports of all the four Indian High Courts to the courts of Sub-Magistrates. At present only the Madras series are supplied to these courts. I do not know why the reports of the other High Courts are not supplied to them. They are not supplied even with the authorised Woodman's Digest. Very often important questions of law crop up in these courts, and the Sub-Magistrates, instead of referring to the original reports themselves, refer to abstracts of reports for want of the originals and are sometimes mislead. There is no conceivable reason why the Sub-Magistrates should not be furnished with all the four series of the Indian Law Reports. Reason and convenience both demand that the Sub-Magistrates should be supplied with these books.

Under the head of contributions from Provincial to Local funds, with Your Excellency's permission, I would put in a plea for a special grant to the districts of Malabar and South Canara. The conditions of these two districts are different from the conditions of the other districts. There is a large number of streams and rivers in these districts and these are not fordable for about six months in the year. Many of these are without bridges and during the rainy season which lasts in these districts for more than five months men and carts are ferried across them. This causes considerable inconvenience and trouble to the people. The ordinary income of the District Boards of these two districts is not sufficient to meet the extra cost necessary for bridging these streams and rivers. Ever since 1905–1906, the Government of India has been making a special grant of 14 lakhs every year to augment the resources of the District Boards. Either out of this special grant or out of the funds otherwise at the disposal of the Government, I request that a special contribution be made to these two District Boards for the construction of bridges.

Under the head of "Miscellaneous," we find that the Government have for the last several years been annually making grants of various amounts in aid of Municipalities whose balances have been depleted by expenditure on plague-preventive measures. In this connection I wish to bring to Your Excellency's notice the hard case of the Salem College. I understand that the income derived from the Salem College has been spent on plague measures. This ought never to have been done. The income arising from the college should be set apart for the improvement of the college or for other educational purposes within the Municipality. What is here said of the Salem Municipality and its college is equally applicable to other Municipalities similarly situated and their educational institutions.

We thank the Government for the continued interest which they take in the important subject of the improvement of agriculture as is evidenced by the provision in the budget for the current year for the appointment of several agricultural experts and the opening of two more experimental farms in addition to the nine already in existence. But as I mentioned on a former occasion, in order that these farms may be of real use to the people, there must be at least one in every district.

About the administration of the Abkári department and the income-tax administration I stick to the opinions which I have expressed more than once in this Council. I still think that the figures shown in the Financial Statement indicate increasing drunkenness and an unsatisfactory administration of the Income-tax Department. It may be that I am hard to convince in this matter.

I find that a lump provision of one lakh has been made in the budget for the current year in connection with the scheme for the constitution of additional districts. I hope the Government will publish the scheme and give the public an opportunity of expressing their opinion on it before it is finally adopted. The question of the constitution of additional districts is one in which the public are vitally interested and the interests of the people and the Government cannot possibly be in conflict, so far as this question is concerned. There is therefore no reason why the scheme should not be published.

5-18 P.M.

His Excellency the PRESIDENT:—I now declare the Council adjourned till 12 noon to-morrow.

H. D. TAYLOR,
Ag. Secretary to Government, Legislative Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Acts of Parliament, 24 and 25 Vic., cap. 67, and 55 and 56 Vic., cap. 14.

The Council met at the Council Chamber, Fort St. George, at noon on Wednesday the 10th day of April 1907.

PRESENT:

His Excellency the Honb'le Sir ARTHUR LAWLEY, K.C.M.G., G.C.I.E., Governor of Madras—*Presiding.*
The Hon'ble Mr. G. S. FORBES, C.S.I.
The Hon'ble Mr. M. HAMMICK, C.S.I., C.I.E.
The Hon'ble Mr. J. N. ATKINSON.
The Hon'ble Mr. C. J. WEIR.
The Hon'ble R. V. SRINIVASA AIYAR Avargal, C.I.E., Diwan Bahadur.
The Hon'ble Mr. A. G. CARDEW.
The Hon'ble K. R. GURUSWAMI AIYAR Avargal.
The Hon'ble M. KRISHNAN NAYAR Avargal.
The Hon'ble B. NARASIMHESWARA SARMA Garu.
The Hon'ble Nawab MUHAMMAD RAZA KHAN.
The Hon'ble Mr. H. P. HODGSON.
The Hon'ble P. S. SIVASWAMI AIYAR Avargal.
The Hon'ble Raja VASUDEVA RAJA Valia Nambidi of Kollengode.
The Hon'ble Mr. V. G. LYNN.
The Hon'ble Sir V. BHASHYAM AIYANGAR, *Kt.*, C.I.E., Diwan Bahadur (Officiating Advocate-General).
The Hon'ble Sir V. C. DESIKACHARIYAR, *Kt.*
The Hon'ble Mr. T. T. LOGAN.
The Hon'ble Mr. F. J. WILSON.
The Hon'ble Mr. J. TWIGG.
The Hon'ble Raja V. VIRABHADRA RAZU Bahadur, Zamindar of Kurupam.
The Hon'ble Mr. H. BRADLEY, C.S.I.
The Hon'ble C. K. SRINIVASA RAO Avargal.
The Hon'ble Mr. J. ANDREW.

FINANCIAL STATEMENT.

On the Council reassembling this morning the discussion of the Financial statement was resumed.

12-8 P.M.

The Hon'ble Sir V. C. DESIKACHARIYAR :—Your Excellency, I rise to make a few remarks. Going through the printed memorandum circulated to us, the one thing, above others, which deserves special mention is the assignment to Provincial in connection with the Famine-relief scheme of two lakhs and a half on the understanding that the Local Government can build up a reserve of credit with the Imperial Government up to a maximum of 25 lakhs on which it will be at liberty to draw when it becomes necessary to incur expenditure on famine relief. Without appearing greedy we can well wish that Madras had been given a more liberal allotment than two lakhs and a half. It is to be hoped that after this at least the rules under the Famine Code will be worked in this Presidency in a more liberal spirit than they have been hitherto. Under this arrangement it has been practically recognised that famine expenditure ought to be met from Imperial revenues rather than from Provincial funds. There is nothing else in the memorandum which, in my opinion, calls for any special remarks. But, Sir, before I make a

few general remarks, let me first request Your Excellency's Government to convey our grateful thanks to the Supreme Government for the further appreciable reduction in the tax on salt from the 1st of April 1907. In spite of the opinion prevailing in some quarters that the salt tax is not a very onerous one and that nobody has felt it as a heavy burden and that the reduction really benefits the producer and the middleman to a much larger extent than the consumer, there is no denying the fact that salt is one of the necessaries of life, that in fact to the poorer people all over this Presidency salt is absolutely necessary to give flavour to their frugal meal of rice or ragi congee, especially as sugar is not used in this Presidency by the poorer classes as largely as it is used in the north. It may almost be said that to the lower orders rice (or ragi), salt and chillies form the tripod of life. Even to the middle classes the reduction in the tax and the consequent fall in the price of salt cannot but be welcome. They will consume more salt and add it to the food given to the dumb animals kept by them especially to horses, bulls and cows. Thus this reduction will surely be felt as a great boon and appreciated as such not only by the poor and the rich alike but also by the dumb animals. Let us therefore hope that in the near future this tax will be abolished altogether as this is, I believe, the only article of food that is directly taxed in this country. With reference to the reduction in the postage charges which is to come into force from the 1st of October next it is lightly talked about that it will be for the benefit of the richer classes only. I think it is a great mistake to think so. In my experience I have very often observed (when letters under half a tola alone were carried for half-anna postage) that most of the letters which were addressed to my servants by their relatives and friends were charged one anna by the delivering post office in addition to the half-anna postage already paid on it as the letters were not under half a tola. It is the poorer people that cannot afford to write often and when once they begin to write a letter it is never under four pages. Thus it will be seen that all classes will be benefited by this reduction though nobody can deny that the upper and the middle classes would be benefited much more than their poorer brethren. Next I should like to say a few words about the Corporation of Madras, which I have the honour to represent in this Council. Please accept the thanks of the Madras Corporation for the liberal Provincial grant of five lakhs of rupees provided in the present budget for the current official year (1907–1908) towards sewerage and drainage works. This is the third instalment which added to the two items of Rs. 3 lakhs each, given in the last two years (1905–1906 and 1906–1907) makes up 11 lakhs out of a total free contribution of 17 lakhs so graciously promised in 1905. Nor are we unmindful of the fact of Your Excellency's Government having recommended to the Supreme Government to grant us a loan of 25 lakhs towards the two big schemes, viz., the drainage and the improvement and extension of water-supply. While we are grateful for all this to Your Excellency's Government, I am sorry to say that in spite of all this help the Corporation finds itself in financial embarrassment. Since the last year's budget meeting of this Council the Sanitary expert of Your Excellency's Government (who was kindly deputed to examine and report on the underground drainage) has condemned it altogether after we had spent a sum of over 30 lakhs of rupees and we are now advised that our original estimate of about 48 lakhs for the drainage must be raised to something like 65 lakhs, to say nothing of an extra sum of 20 lakhs for the Georgetown drainage if that is to be taken up. Now that the hot weather has begun, the cry for good drinking-water comes from all parts of the City. The scheme for the improvement of water-supply will cost us nothing less than 23 lakhs. But, Sir, in addition to the improvement scheme extension of the supply to many places in the City is absolutely necessary and this extension may cost us another 9 lakhs of rupees. With these two schemes to complete the Corporation is, in spite of the liberal help given by Your Excellency's Government, in an unenviable position and unable to find funds for many a pressing necessity and improvement. The real reason is that the responsibilities of this Corporation are out of all proportion to its present resources. Almost all the taxes have been raised to the maximum; still they are quite inadequate and insufficient for the growing needs of this City of magnificent distances. Whatever other faults the Corporation may have, extravagance is not one of them. It is no exaggeration to say that the Corporation is unable to give effect to several of the useful provisions introduced in the new Act for the improvement of the City and for the protection of the health of its inhabitants. The Corporation is fully alive to its responsibilities and during the year has submitted several proposals to Your Excellency's Government for finding fresh modes of taxation in order to reach those

who are not at present paying their legitimate share of the taxes. I won't go into details on this occasion as the views of the Corporation have already been placed before your Government. Now, Sir, let me state a few of our pressing needs which we must sooner or later accomplish. First and foremost are the hospitals for small-pox and other infectious diseases. Even more important is a laboratory for the analysis of articles of food and drugs. A depot for manufacturing calf lymph under proper sanitary conditions is wanted, as Lieutenant-Colonel King, the late Sanitary Commissioner, has in unequivocal language declared that the calf-to-arm vaccination is the best and the most efficacious. That the street lighting in the City is in a deplorably bad condition we are fully alive to, and in order to improve it Your Excellency's Government has, with our concurrence and on our recommendation, granted a concession to an English company for the supply of electricity. But, Sir, now that the company has begun its work and will very soon be ready to supply electricity for lighting, our President is hesitating—and in my humble opinion very rightly too—whether the Corporation can afford to go in for a more costly system of lighting when a large sum of Rs. 70 lakhs has to be found for completing the drainage and the water-supply schemes. Next I should mention the want of a suitable office for housing the Corporation itself. While we are preaching aloud, about the advantages of ventilation and of sanitation, to all and sundry, and strictly enforcing the building regulations in the City we have not been able to house our own office in a more commodious and better ventilated building. One has only to go into the office to condemn it. The President's office room is the meeting hall in which there is not enough room to accommodate all the 36 Commissioners if all of them happen to be present together. As for the accommodation for the clerks it is simply horrible. They are huddled together like cattle. A committee of the Corporation specially appointed to go over the building and report has unanimously condemned it as thoroughly unfit and unsuitable to the needs of the Corporation, yet this has been put off from time to time for want of funds. Again, Sir, year after year we are warned that something must be done to reduce the large death-rate among infants in the City and prevent the spread of contagious diseases among them traced in many cases to the impurity in the milk supply. The Corporation has resolved to open milk depots in various centres of the City to supply pure milk at reasonable prices for feeding infants, the depots being supervised by the sanitary staff of the Corporation. We have already made a small beginning and if only funds permitted we should have at once opened such depots at least in two dozen places in the City. We should like also to build more dhobykhanas which ought to prove a great boon to the City in that they would not only release the citizens of Madras from the clutches of dirty and unscrupulous dhobies but would save the City from the spread of contagious and infectious diseases in epidemic times. We have begun, Sir, to build blocks of small and cheap houses—on thoroughly sanitary lines with good drainage and water-supply—called model paracheries, for letting out on small rents to the members of the unfortunate Panchama class and thus gradually get rid of the many insanitary paracheries now existing all over the City and which are a standing menace to the public health. A block of 36 small houses cost us roughly Rs. 10,000. We should very much like to open out new roads to induce people to leave congested localities and build new houses on sanitary lines and for this purpose the big gaps and large gardens existing between the several suburbs of this City might well be utilised. One such scheme is now before the Corporation. We propose to open out a trunk road (40 or 60 feet wide) running from east to west parallel to and midway between the Edward Elliot's road and the Ice House or Peter's road. If we succeed it will open out a large vista of what is now garden ground on either side of the proposed road and make it available for suitable building sites. These are a few of our pressing needs, which for want of funds we have not been able to carry out. Let me therefore, Sir, not only on behalf of the Corporation but also on behalf of the citizens of this growing City appeal to you and to your Government to give us all the help you can by liberal contributions from the Provincial funds, by restoring to the Corporation the right of collecting the town duty on licenses for selling liquor and spirits within the City and by permitting the Corporation to increase the rate of tax on arts and professions—which as it now stands is only half a per cent. on one's income—and to levy a small terminal tax of three pies per head upon all people entering the City which could be collected easily without its being felt by anybody as a heavy burden.

Next I propose to make a few suggestions for the carrying out of which no sanction is necessary either from the Supreme Government or from the Secretary of State nor

will any of them involve extra expenditure. My first suggestion is that the principle of election should be introduced, at least to a limited extent, in filling up vacancies in Taluk Boards. Unless a beginning is made how can the people learn the principles of local self-government ? I am not one of those that think that election is an unmixed good ; but at the same time it must be conceded that to secure some sort of representation election is absolutely necessary. I appeal to Your Excellency's Government to make a beginning and give it a fair trial. With Your Excellency's experience and with the advice of your able colleagues it will not be difficult to mature a scheme to introduce election in the Taluk Boards in this Presidency under which a few seats in Board might be thrown open for election. My next suggestion is that Your Excellency's Government should appoint a larger number of educated Indians *in the higher ranks* of the Salt, Abkári and Customs department. Looking into the list I find that both the Secretary and the Assistant Secretary are Europeans. Not one of the four Deputy Commissioners is an Indian. No doubt there is one solitary Indian out of a total of 20 Assistant Commissioners. These figures, I believe, are substantially correct. There is a growing feeling of discontent and disappointment among the educated Indians that this department is becoming a close preserve for Europeans and Eurasians at any rate so far as the higher ranks are concerned. Certainly it cannot be said that Indians who make good Tahsildars and Deputy Collectors and vie with each other in collecting the maximum of land revenue (which is going up by leaps and bounds year after year) and who (in spite of the gracious act of the Supreme Government in raising the taxable minimum for income-tax from Rs. 500 to Rs. 1,000) never allowed the total of the income-tax collected in any one year to fall below the average of the previous years, but in fact show increase year after year ; I say it cannot be said that these men will not collect salt and abkári revenue with the same amount of zeal and make as good Salt and Abkári officials as they make good Revenue officials. It is common knowledge that officers for these departments are recruited from among men of no special qualifications who naturally do not like to have educated Indians even as their subordinates, the real secret being that they are afraid of suffering by comparison with their own subordinates in the eyes of the Commissioner and of the Government. I sincerely hope that in Your Excellency's regimé it may be possible to do away with such invidious distinctions. It is now some years since it was declared that the office of one Under Secretary to Government would be thrown open to the members of the Provincial Service, yet, Sir, the Government has not been able to find all these years even one individual in the whole of the Provincial Service fit and able to occupy that position, though there is no lack of intelligence and ability in that service to fill more responsible posts. In the Educational Service again a sharp line of demarcation is drawn between class and class on the mere ground of nationality. An Indian who is thought quite fit to act in a particular chair not for one or two months but for one or two years is passed over as unfit when a permanent vacancy occurs. This cannot be due to want of ability. He is found good enough for the long period of one year or two when a batch of students pass through his hands and pass through the portals of the University without their ever knowing the permanent professor. This is much more accentuated when a professor clever in one subject is permanently posted to teach another subject which he never taught before, simply because a place has to be found for him. Of course for a long time to come it will not only be necessary but almost desirable that eminent men (who have had good training in the Universities of Great Britain and of those in the Continent of Europe) should be got out to lecture in special subjects in our colleges ; but when we find the imported product is inferior—very much inferior—to the local genius, such importations naturally create great heart-burning and disappointment and leads to the conclusion that the local man was superseded because of his nationality. If, for filling in such vacancies a competitive examination be held, the best man will be selected and there will be no reason for complaint. In this connection one cannot help regretting the recent retrograde policy of the Madras Government in not holding the annual competitive examination for the selection of one or two men for the Provincial Service. I am not advocating that without exception that all appointments should be thrown open for competition. But I do maintain that for the higher grades at least the front door of Public Service must be open only to the best men available—which, I submit, can be secured only by competitive examinations—while you may bring in a few by the side door of selection and perhaps fewer still by the back door of nomination. To test the correctness of my theory you have only to look at those young men who have entered the Provincial Service

by means of the yearly competitive examinations. I can say, without fear of contradiction, that almost every one of them has turned out an efficient Deputy Collector. Let me therefore press upon Your Excellency's Government the advisability—if not the necessity—of holding the annual competitive examination which was held for a number of years to the great advantage and benefit of the Public Service.

Turning now to the Revenue department it occurs to me that it is high time that a new system was introduced for recruiting Sub-Magistrates. The average Sub-Magistrate at the present day is an ill-educated and incompetent person, in most cases having risen from the post of a taluk gumastah. So far as collection of land revenue and income-tax is concerned he is alright. He knows the system by heart; but it is in the exercise of magisterial functions he shows his utter incapacity. His knowledge of criminal law and criminal procedure and his general education are so poor that he is seldom able to perform his magisterial duties satisfactorily; while the powers he wields as a second-class Magistrate are too large for his capacity. In the old days when Tahsildars and Taluk Sarishtadars were all Magistrates, the Sub-Magistrate so-called occupied an intermediate position. Taluk Sarishtadars (who are now styled Head Accountants) were then third-class Magistrates. After gaining considerable experience they were appointed Sub-Magistrates with second-class powers; but even then, the more important cases triable by a second-class Magistrate were almost invariably taken up by the Tahsildar-Magistrate. It was also true there were not, in those days, available enough of well-educated young men. But now that both the Tahsildars and the Taluk Sarishtadars have ceased to be Magistrates, the Sub-Magistrate is the only person wielding second-class powers in the taluk. I am not to be understood as saying that the pay of the Sub-Magistrate should not be increased; but what I suggest is that even for the pay of Rs. 100 and Rs. 120 a better class of men are available and that the existing defect is mostly due to the present system of recruitment. Is it not strange that, while every issue of the *Fort St. George Gazette* contains advertisements inviting applications for the posts of peons, amins and clerks both in the Revenue and the Judicial Departments all over the Presidency, we have yet to find a single such advertisement calling for applications for a Sub-Magistrate's post? The result is whenever there is a vacancy the District Collector has to select and actually selects a man from the ranks of the subordinates in his own district. Thus the field for selection being so narrow and limited, the man selected is perhaps the best of a bad lot available on the spot, but in most cases quite unequal to the proper discharge of magisterial duties. I would respectfully suggest to Your Excellency's consideration that the recruitment of these officers can be placed, without any additional expense whatever, upon a wider basis by empowering one of the Honourable Members of the Board of Revenue, in the Land Revenue Department, to make these appointments in the same way as one of the Honourable Judges in the High Court is made responsible for the appointments of District Munsifs. Even under such a system it will still be open to District Collectors to recommend to the Board deserving and capable persons in their own districts. Now that the Honourable Members of the Board of Revenue go into the districts on tour, they will be able to make good selections from all the available sources. This is very important as it is generally from the Sub-Magistrates that the Tahsildars are selected, and it is they that eventually become Deputy Collectors, from whose ranks again two District Collectors and one Secretary to the Board of Revenue have to be chosen. Another suggestion I should like to make is with reference to Your Excellency's Executive Council. I don't mean to refer to the desirability of appointing an Indian to a seat in the Executive Council. It may be said that for such an introduction the Supreme Government or the Secretary of State for India must be moved. But, Sir, my present suggestion requires no such sanction and no extra expenditure whatever. It was for some time the general impression that the only person eligible for a seat in the Executive Council was the Chief Secretary to Government, and it was given out that many a First Member of the Board of Revenue, though senior in service, had been kept out. It was only in more recent times it came to be recognised that either the Chief Secretary to the Government or the First Member of the Board of Revenue might aspire for a seat in the Executive Council. My suggestion is that, in addition to these two gentlemen, the Senior Civilian Judge of the High Court ought to have a chance. There is a widespread belief in this Presidency that those of the Civil Service who are not in the good graces of Government are relegated to the Judicial department. This receives some little confirmation from the fac

that a High Court Judge (who belongs to the same service, who, like his brethren in the Board of Revenue and Secretariat, has received all the revenue training as an Assistant Collector, a Head Assistant Collector and a Sub-Collector, and who, if anything, has added to his revenue experience considerable judicial experience as a District and Sessions Judge and subsequently as a High Court Judge) is not appointed to the Executive Council of the Local Government. I request Your Excellency to consider this question also. Of the two Councillors, is it not advisable to have one with some judicial experience? Can it be said that one who has had both revenue and judicial experience is inferior to one who has had only revenue experience? The only instance I know of a Civilian Judge of the Hight Court having been appointed to the Executive Council is that of Sir Phillip Hutchins. Need I say anything more about the wisdom of that appointment? Has he not more than justified it? After a brilliant career both in Madras and in Calcutta, he is at present a Member of the Council of the Secretary of State for India. The late Sir George Parker would have been an acquisition to the Executive Council, and if the present Senior Civilian Judge of the High Court is selected, he will, without a doubt, prove an ideal Councillor. I hope I shall not be misunderstood as saying anything against any of the late or present Members of the Executive Council, but it is high time that the Members of the Judicial Branch of the Civil Service should have equal chances with their brethren in the Board of Revenue and the Secretariat in the matter of being appointed as Members of the Executive Council. Before I sit down there is just one other matter that I should like to touch upon. Sir, permit me to convey to Your Excellency's Government the heartfelt thanks of the people of this Presidency for the liberal spirit and sympathetic manner in which the Government of India Act X of 1904 is being worked in this Presidency. A large number of Co-operative Credit Societies have already been started in different parts of this Presidency, and I know personally (in my capacity as the Secretary of the Madras Central Urban Bank, Limited) that several of these societies are already doing excellent work. The Central Bank has advanced loans to several of these mufassal societies, a few of which have borrowed as much as Rs. 10,000 each. Recently Your Excellency's Government has been pleased, on the recommendation of the Board of Revenue, to obtain the sanction of the Government of India for the issue from the district treasuries of remittance transfer receipts free of all cost when remittances are sent from one society to another. This is a great indulgence and the Madras Central Bank has availed of it in many cases in remitting money to mufassal societies; and a few of the mufassal societies have also begun to take advantage of this concession in remitting money to the Central Bank. In this connection, Sir, may I request Your Excellency's Government to extend this concession so as to enable these societies to obtain and cash such orders in the several taluks or sub-treasuries, also as several of these societies are in places far removed from the district head-quarters where the district treasuries are situate? To give a concrete instance there is a society in Uttaramallur in the Madurántakam taluk of the Chingleput district. The Madras Bank is authorised to issue remittance transfer receipts payable only at district treasuries. The Chingleput district treasury is at Saidapet. No doubt the Uttaramallur Society can by sending the receipt to Saidapet with the endorsement "Received payment by a cash order on the sub-treasury at Chingleput" receive an order payable at Chingleput. But this necessarily entails long delay, as in most cases it will take a week or ten days before the money can be received. There are several such societies situate far away from the district head-quarters. If therefore remittance transfer receipts could be issued directly by and upon taluk and sub-treasuries, it will be of very great advantage. These suggestions of mine, I trust, will receive some attention at the hands of Your Excellency's Government.

These are the only remarks which I wished to make, and I trust that these suggestions will receive the attention of Your Excellency's Government.

The Hon'ble B. Narasimheswara Sarma:—May it please Your Excellency,—

12–33 P.M.

I beg to associate myself with the Honourable Members who preceded me in thanking Your Excellency for the highly interesting and informing review of the administration of the past year giving us an insight into the aims and aspirations of the Government and particularly for Your Excellency's assurances of sympathy with the cause of progress and development on all lines so dear to all our hearts. Before proceeding to a discussion of the budget, on behalf of the teeming millions of this Presidency, especially the poor, I respectfully beg to offer my most sincere thanks to the Government of

India for the reduction of the duty on salt to very nearly the level on which it stood nearly 50 years ago when As. 14 were levied per maund. Your Excellency's Government has to be congratulated on entering another year of comparative financial prosperity with an opening balance of 103·26 lakhs, though I cannot help wishing that a large portion of this balance had been spent on projects tending to the promotion of the economic well-being of the Presidency especially as, under present circumstances, large balances are apt to mislead the Supreme Government with regard to the real situation and needs here and result in unfair and ungenerous treatment in the matter of Provincial allotments.

The fact that a deficit of 15·72 lakhs has been budgeted for during the current year without any provision whatsoever being made for ameliorating the condition of the low-paid subordinate officials including the ill-paid subordinate magistracy of the Government and for relieving the pressure of work in Civil Courts cannot but lead any one to agree in the observations of the Hon'ble Mr. Stokes when introducing the budget last year that the settlement which has come into force in 1904-1905 was by no means a liberal settlement. One other matter I may be permitted to bring to Your Excellency's notice that if the Government orders be circulated among the Non-official Members as far as possible, we shall be in a better position to understand from time to time the progress of the administration and possibly trouble the Government with fewer requests for information. We are thankful to the Honourable Member in charge of the finance for the promise that the case of the Sub-Magistrates would receive adequate consideration in the near future. May I be permitted to make a humble request that Your Excellency may be pleased to afford an opportunity for an informal consideration of the provisions of the budget by the Members of Council including the Non-official Members before it is approved ?

Turning to the head Land Revenue in which the Provincial Government receives only one-fourth, we find the revenue continually expanding the actuals of 1904–1905, the first year of the new settlement, being 555·74 lakhs and the amount budgeted for 1907–1908 being 631·18 lakhs or a difference of 75 lakhs; and between 1906–1907 and 1907–1908 there is a difference of 15 lakhs ; and the increase has been stated to be partly due to the contemplated introduction of resettlement rates in portions of the districts of Cuddapah, Kurnool, Chingleput and Tinnevelly, though we are not told how much of the increase is due to resettlement.

Let us pause for a moment and look at the concrete effects of the land revenue policy of the Government. I shall not enter now into any discussion as to the relative merits of the conflicting theories as to whether land revenue is in the nature of rent or a tax ; suffice it for the present to enter my emphatic protest against the doctrine which attempts to uphold the revision of assessment on the basis that revenue is in the nature of the rent. But the effects of pursuing the policy that the State is entitled to regard the payment as rent to an increment in which it is entitled as of right has led to very disastrous consequences so far as this Presidency is concerned.

The crop returns as per Agricultural Statistics, British India, ending 1903–1904 show for this Presidency 26·9 millions as against 208 millions for the whole of British India including Burma and excluding Burma roughly 196 millions for the rest of British India, and the crop returns for 1904–1905 are even poorer, being 25 against 207. The land revenue proper excluding that for Burma having been Rs. 24,32,85,905 for the year 1903–1904 our Presidency's share should have been not more than 340 lakhs and at 26·9 millions acres which is said to be the normal figure about 360 lakhs ; whereas we have paid Rs. 5,32,32,855, and including cesses and the revenue due to irrigation upwards of 7 crores. Whereas during the said year—

	ACS.	RS.
Bengal and Assam paid for	53,000,000	4,64,46,005
United Provinces paid for	35,711,023	6,32,57,640
Punjab paid for	24,911,540	2,33,32,185
Bombay and Sindh paid for	27,302,923	4,3[illegible],53,570
Central Provinces paid for	24,711,125	1,62,16,425
Madras paid for	26,973,974	5,32,32,855

and the land is on the average by no means more fertile than elsewhere. Surely there can be no doubt in saying that relatively to area Madras is the most disproportionately heavily-taxed province.

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Let us take another test, the test of population. Excluding again Burma this Presidency has to bear 38/221 or roughly 17 per cent. of the burden or in other words during 1906–1907, 430 lakhs excluding the charge of irrigation, 510 lakhs including irrigation and 564 lakhs including cesses. Whereas the total amount levied from land was 631 + 72 or 703 lakhs or a crore and 40 lakhs more than our proper share.

But these figures do not tell the whole of the sad tale. The increase in the ryotwari demand has been during the last 30 years from 346 lakhs to 483 lakhs and taking it that about 50 lakhs are due to extended cultivation which according to the land revenue report for fasli 1314 has been 2·73 millions between 1875 and 1905 at Rs. 1–15–1 the average per fully assessed acre, the balance of 25 per cent. has been the enhancement in respect of the same area whatever may be the reason assigned with 6 to 7 millions of additional mouths to be fed out of the same produce.

But if we contribute more in the shape of land revenue do we contribute less on the whole? Take the figures for 1906–1907. Whereas out of taxation proper Bengal has been allowed to retain 4,90,20,000 as against 514 lakhs (1,28,26,900 Imperial—(6,01,33,000 + 2,08,33,000). I deduct advisedly the revenue from opium and $\frac{4}{5}$ customs in the case of Calcutta and $\frac{9}{10}$ customs in the case of Bombay which from their position command the merchandise practically of the whole of India and only a portion of the customs duty is really borne by the public of Bengal and of Bombay.

	Provincial.	Imperial.
	RS.	RS.
East Bengal and Assam ..	2,25,37,000	2,06,32,000 (2,12,48,000 — 6,16,000)
United Provinces	4,40,79,000	5,79,53,000 (5,85,43,000 — 5,90,000)
Punjab	2,96,34,000	2,98,29,000
Bombay	5,35,57,000	5,14,37,000 excluding customs. 541 including in part.
Central Provinces	2,03,64,000	1,23,24,000

We alone in Madras have been allowed to keep 4,73,15,000 as against 8,12,71,000 and deducting customs 49,28,000 — 7,63,43,000, or in other words while the Imperial share is nearly equal to the Provincial elsewhere it is 75 per cent. more in Madras. Nor is it all. Whereas the local taxation amounts in Bengal to 51,61,000, in Eastern Bengal and Assam to 32,18,000, Bombay 38,65,000, Punjab 33,63,000, United Provinces 63,12,000, Central Provinces 18,49,000 we in Madras raise in the shape of local taxation 1,09,17,000, the Provincial rates having amounted to 72,88,000 after the abolition of the ryotwari village service cess, 70 lakhs of which bear directly on land.

Let us look at our position in another light. The total taxation under heads of taxation proper of British India including Burma for 1906–1907 was 74,40,47,000. Excluding therefrom the revenue from Burma opium and tributes from Native States, the net taxation amounts to 57,81,38,000 and relatively to the population of this province 38/221 our proper share would be 9,82,00,000, whereas excluding tributes from Native States 45,08,000 out of 12,24,90,000 we pay 11,79,82,000 or nearly 2 crores in excess; Bengal and Assam between 13 and 14 crores for a population of 80 millions; United Provinces 9 crores 30 lakhs for a population of 40 millions; Punjab 3 crores 76 lakhs and Bombay 940 lakhs deducting opium and customs. The net result is that we raise revenue here mainly for the benefit of others and three-fourths of the enhancement of the land revenue goes for the same purpose. I respectfully entreat the Local Government to make a bolder fight to safeguard the interest of the people entrusted to its care and secure a fairer treatment in the matter of Provincial adjustments.

Two strong reasons have been urged against the fixity of the land revenue demand, namely, whereas the land is the property of all, a few would be reaping the whole benefit should there be fixity and as the needs of the State grow especially with the rise in prices permanency would deprive the Government of one source of enhanced revenue. Now the latest returns show that in this Presidency there are 6,162,172 ryotwari pattadars, 2,353,940 single pattadars and 3,808,232 co-sharers in joint pattas numbering 1,143,819, the total average acreage being 24,089,456. The average is below 4 acres per head and the first objection has therefore no force. As regards the second is not revenue being raised in the shape of cesses on land alone and

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should the exigencies of public welfare demand enhanced taxation that method of taxation is always open and the taxes would be raised after due deliberation, open discussion and to meet the demands of the day. Having regard therefore to the permanency of land tenure in several provinces of India and a portion of this Presidency and to avoid the unequal incidence of taxation, the harassing procedure at each settlement, the cost of resurvey and settlement (it is 10·44 lakhs this year) and to effect a reduction in the cost of collection and supervision may we not respectfully entreat Your Excellency to approach the Supreme Government on the subject to provide for a fixity to the ryotwari demand in this Presidency. At any rate until this is done may we not expect a liberal treatment in resettlement especially in the case of the afflicted parts of the Presidency. Nellore is a sparsely-peopled district with comparatively poor soil; the increase in population during the last decade has only been 2·3 as against the Presidency average 9·8. There has been a decrease in the taluqs of Darsi, Kanigiri, Ongole (Guntúr district), Podili and Udayagiri. In Cuddapah the increase has been but 1·5—a decrease in three taluqs. In Kurnool the increase is much less than the normal and there has been a decrease in two taluqs. Chingleput has been heavily afflicted recently with famine.

The public therefore look to Your Excellency's Government especially having regard to the comparatively prosperous state of the finances to allow breathing time to the afflicted taluqs in the above districts before resettlement rates are introduced, and where they have been introduced already, for a temporary suspension there till they recover their lost position. It is but fair to state that so far as I have heard the Settlement Officer Mr. Paddison has taken considerable pains to ascertain the truth and to be as sympathetic as the rules and regulations would permit him to be.

I cannot pass from the subject without drawing Your Excellency's attention to the deep discontent which has been and is being caused amongst the middle and lower middle classes to which inamdars belong by the rigorous enforcement of the rights or supposed rights of the Government to water-rate in the case of inams and inam villages. Many of the landholders who belong to this class depend entirely on their income from the lands for a living, the recent rise in prices has afflicted this particular class sorely and they deserve the liberal and sympathetic treatment of the Government; the water-rate from this source has risen to 28,51,821 to nearly as much as the quit-rent they pay to Government. Another item which requires careful scrutiny is the penal water-rate which in 1905 reached the respectable figure of 2,29,680, an increase of Rs. 8,489 over the previous year.

While on the subject of cesses—I may be permitted to say a few words regarding the proprietary estates village service cess. The Government of India have acknowledged in clear and definite terms the duty of providing for the cost of village servants from Provincial revenues; the cess in so far as it was levied in ryotwari tracts was abolished and with regard to zamindari and inam villages the relief was postponed pending the completion of the scheme of enfranchising the service inam lands and providing salaries for the village staff. It is true that until the whole scheme is completed the total amount for which the Supreme Government would have to provide compensation to the Provincial Government may not be ascertained, but the abolition of the cess and compensating the Local Government do not depend on the amount which may ultimately be needed. The sum needed in any particular year in the zamindari and inam villages in which village servants are remunerated by salaries is known at any rate approximately and considering that the zamindari ryot is not in many cases in a much better condition than his brother in the ryotwari tracts, there seems to be no reason why this cess should be levied from him and the Government of India should not be asked to compensate the Local Government provisionally in the sum required. Having regard to the fluctuations of finance and seeing that the Government of India may not be so generous when in need of funds I earnestly entreat the Government to lose no time in affording relief to the ryot in the permanently-settled tracts of this Presidency.

Coming next to assessed taxes the growth of this branch of revenue deserves the careful consideration of the Government and public opinion is not after all so wrong as one would wish it to be. Nowhere else in India has the increase been so rapid or great as in this Presidency and judging neither from the amount of customs, the volume of trade or the number of rich men can the province be said to have made such rapid advances towards the accumulation of wealth as the income-tax figures would lead one to suppose.

The total amount of assessed taxes in Madras in 1886-1887 was 13·67380 lakhs as against 21 in the United Provinces, 30 in Bombay, and 38 lakhs in Bengal and in 1902-1903 the last year when the minimum was Rs. 500 it was in Madras 29 lakhs (125 per cent. increase), in the United Provinces 25 (20 per cent.), Bombay 39 (30 per cent.), Bengal 56 lakhs (47·2 per cent.).

Now after the minimum was raised there was a fall to 24·5 lakhs in Madras and the amount budgeted for this year is 28 lakhs or (an increase of nearly 16 per cent.) in four years, the figures for the United Provinces being 2,05,000 lower than what it was in 1886. If the increase were under parts I, II and III there would not seem to be so much room for objection; it is under part IV where there can be no data on which the tax can be fixed and where the non-official middle classes are the assessees that the increase is most high. Whereas under part IV the total assessment has risen in the United Provinces from 17·21850 lakhs in 1886-1887 to 18,94,301 in 1902-1903 (*i e.* an increase of 10 per cent., it is now 17,12,000), in Bombay from 19,56,440 to 23,42,394 (20 per cent., it is 23,12,000 now), in Bengal from 25,02,500 to 36,24,873 (44 per cent.), in Madras alone has it risen from 8,68,430 to 22,17,819 or nearly 160 per cent. in 1902; and the ordinary collections amounted to 23,05,000 in 1906. The income-tax paying classes here could not have gone so far ahead of their brethren in other provinces. The growth under other parts was only from 5 to 7 lakhs and the increase under part IV deserves the severe scrutiny of the Government. I may be permitted to state that the yearly budgeting for an increase of one lakh or so may be misconstrued into a command to bring the assessment up to the budget figure. And surely there cannot be an accession to the income of the assessees almost every year of about 50 lakhs requiring a capital of 8 crores of rupees or more.

The modification of the rule that the information generally secret on which the assessment is based should be proved to be incorrect before the tax can be reduced, the association of non-officials with the assessing officer in determining the tax and a sympathetic and liberal administration are imperatively needed.

May we not hope that with another year of surplus the minimum would be raised to two thousand.

Now from one unpopular method of raising revenue to another—the forest revenue. The public are deeply thankful to the Government for the early recognition of the fact that the growth and preservation of forests and vegetation and abundant rainfall are specially allied to one another, and for the care it has been taking of the forests in the Presidency. They are also gratified to find that forest revenue is fast becoming one of the assets of the Empire; but may they not legitimately ask to be heard and not be brushed aside contemptuously when they feel and state a real grievance in the framing and working of the rules about grazing and about the costliness of firewood. Wherever the people are assembled, whether in district or provincial conferences or in Congress, whether it is the Governor or the Collector that they interview, forest grievances are the loud theme of conversation and resolution or complaint, and free grazing, free supply of green manure and cheap firewood are asked for.

It is curious that the subject does not seem to have roused so much interest elsewhere, but the returns of revenue for the various provinces seem to furnish a key to this. It may be that the conditions are different and the Government has a valid explanation; but it is noteworthy of remark that wherever timber affords a large revenue, Forest officials do not seem to concern themselves so much with the income either from grazing and fodder grass or firewood. The forest revenue in Burma is Rs. 109,00,000 chiefly from timber and from grazing and fodder grass only Rs. 1,800. In the United Provinces nearly 16 lakhs out of 24 lakhs are derived from timber and only Rs. 1,07,800 from grazing and fodder grass, and from firewood and charcoal Rs. 2,78,050. In Punjab Rs. 8,31,000 from timber, Rs. 1,25,600 from grazing and fodder, Rs. 4,37,000 from firewood. In Bombay Rs. 17,77,000 from timber, Rs. 3,82,000 from fodder and grazing, Rs. 4,81,000 from firewood. In Bengal and Assam the revenue from grazing is about Rs. 62,400. In Madras alone out of 30 lakhs, timber gives the least Rs. 4,65,100, grazing fees amount to Rs. 6,45,900, firewood and charcoal is Rs. 9,61,750. In the absence of an explanation therefor, the complaints of the public that the Government are very hard on the already overburdened poor agriculturist in the matter of grazing and firewood do not seem to be ill-founded. It may be said that the fees are low, but are they really so when the means of the ryot is taken into consideration, when this

is an additional source of taxation, and it must be remembered that in many parts the ryots have been accustomed to free grazing from time immemorial and feels the restriction sorely and in addition to the legitimate fees paid the forest demi-god, the guard, has to be propitiated. Enhanced grazing fees are levied from the wretchedly poor ryots of Vizagapatam, from those of Gódávari and other districts and the Government would, I hope, see their way to reduce them to the normal rates at once.

Under the receipts from Courts of Law the magisterial fines form the major portion and are relatively high as compared with other provinces and considering that the population from which the offenders generally come are not overburdened with the goods of this world, the fines inflicted cripple many a poor family and something may be done to reduce them.

Speaking of excise it is a matter for deep regret that, whereas the income excluding ganja, opium, etc., was but Rs. 63,30,910 in 1883-84 and in 1891-92 Rs. 1,13,22,770, it should have risen to 203·7 lakhs in 1906-07, that the poorer classes from whom the revenue in arrack and toddy chiefly comes contribute so largely to taxing themselves heavily, and I shall only repeat my request made last year that fewer licenses may be given at fairs and markets and though public places are chosen for the location of shops to deter people from resorting to them, they may not be in the neighbourhood of markets, etc., where people are perforce compelled to assemble in large numbers and that the principle of local option may be given greater scope for action in determining the sites of shops. The growth of opium and ganja habit in portions of the Circars needs to be specially checked.

With Your Excellency's permission I shall now turn to the expenditure side of the budget.

Irrigation claims naturally our first attention. There is a fear entertained in many quarters that the era of irrigational activity has come to an end in Madras and the attitude of the Supreme Government towards the great irrigation schemes the Tungabhadra and the Kistna fills one with grave misgivings. It may be that there are no more delta systems to be developed yielding handsome returns of 20 and 30 per cent. on the capital outlay; but the future of the Presidency is deeply connected with the construction of reservoirs large and small and the Government of India naturally feels hesitation to sanction the construction of projects with no tempting returns and my point is that though any particular project may not in the beginning be very promising and is only protective in its character, yet the Presidency should be treated as a whole and when there is no loss in the shape of interest on the total outlay on the productive and the protective works old and new the claims of the provinces cannot and ought not to be resisted for a moment. In the case of the two large projects in this Presidency referred to above they are of an eminently protective character, also calculated to rescue whole regions from the future ravages of famine, hunger and desolation and I sincerely trust that this Government would use its utmost endeavours and see that the counsels of expert advisers accustomed to the conditions of other provinces whose calculations would naturally be based on different data, *i.e.*, the duty of water which would be entirely different in the alluvial soils of Upper India from what it may be here leading to a difference in the returns of as much as 30 per cent., do not prevail.

Coming to minor works irrigation judging from the statistics furnished by the land revenue report a large percentage of the minor tanks in Ganjám and Vizagapatam and Cuddapah seem to be out of repair and private tanks seem to fare better in this respect. I hope greater attention would be paid to them in future. The evidence in a suit now going on between the Government and the proprietor of Gumulur in Vizagapatam district shows how sadly the Government villages in Yellamanchili taluk require additional facilities for irrigation; and I sincerely trust that the project of constructing reservoirs in the river Varaha and in the Golgonda taluk and referred to in the Irrigation Committee's report may be investigated and taken on hand. It may not be inappropriate here to remark that the Government deriving upwards of a crore of rupees from the delta districts in the Circars is not as active as the people desire it to be in promoting the agricultural prosperity thereof and more experimental and demonstrative farms and veterinary hospitals may well be started than has been done in the past. In this connection I may be permitted to venture a remark that there is an impression—and I shall not go into figures, for it is unpleasant to distinguish one portion of the Presidency from another—that the northern group of districts,

whether in the matters of facilities for progress or preferment in service, receive as much attention here as distant Madras does at the hands of Imperial Calcutta and I hope Your Excellency's Government will remove the causes if any for the impression.

Another matter connected with the public works is the disproportionately small sum proposed to be spent on railways in distant Madras. The lines under construction sanctioned on 31st March 1906 were 120·67 in Madras out of a total mileage of 2,706 and about 159 lakhs only have been proposed to be spent out of 15 crores. The Government should insist on a due proportion being utilised for developing this province and cannot insist too strongly on the opening up of the Central Provinces and Agency tracts of Vizagapatam by the speedy completion of the Vizianagram-Raipur Railway and the construction of a harbour at Vizagapatam.

Coming to the services I may say without much fear of contradiction that Madras shows scant courtesy to those who administer justice in the rigid and impartial administration of which the people have such implicit confidence and which really forms the bed rock on which British rule is mainly based in this country. Bombay received but Rs. 39,79,000 in 1906–1907 and spent Rs. 51,00,000 on her courts of law, so did Punjab with Rs. 27,33,000 revenue incur Rs. 37,64,000 expenditure; the Central Provinces were equally liberal, Rs. 21,50 000 have been spent as against Rs. 16,48,200; Bengal and Assam spent 111 lakhs (our proper portion would be about 55 lakhs), the United Provinces 57 lakhs, whereas Madras with an income of Rs. 63,88,000 had only Rs. 49,87,000 to spare. When we ask therefore for better treatment of the Judges we do not ask for the utilisation of any portion of the general revenue though justice is an undoubted charge thereon. It is a matter of common knowledge that the Judges of the High Court with all their best efforts are not able to cope with the work and appeals have to lie over two or three years if not more, before they are heard. The appointment of another Judge cannot be made a day too soon, though, as the fates would have it, it may mean loss to the Indian judiciary and if the law if necessary be not altered soon and an additional Indian Judge or Judges are not given, little faith can the people be asked to repose in promises of equal and fair treatment. It would be no exaggeration of language to say that the Subordinate Judges and Munsifs are worked to death and the statistical tables point to a yearly increase in the number of suits. Busily engaged in the morning in the preparation of cases, from 11 A.M. till dark on the bench if not late, with the nights devoted to writing judgments or the study of law they have hardly a moment they can call their own. Whereas there are 295 Munsifs in Bengal and 146 in East Bengal and Assam the number is only 120 in Madras with occasionally a Munsif added to relieve extreme pressure. The ordinary jurisdiction of a Bengal Munsif extends only to Rs. 1,000 whereas it is Rs. 2,500 in Madras and the proportion of contested suits is not relatively higher in Bengal. Would it be too much therefore to ask that justice may be done to this deserving class of officials by increasing their number and prospects and the fact that there is a keen competition for entering service should not blind the Government to the fact that if the present state be allowed to continue efficiency cannot but suffer, let alone abstract ethical considerations.

A large class of people in the Agency tracts of Vizagapatam is as civilised as their neighbours in the ordinary tracts, litigation there is as important and intricate as elsewhere, witnesses and parties have to travel in important cases a hundred miles or more by carts both in civil and criminal cases and the Government cannot postpone for any length of time establishing regular courts without unjustly perpetuating the hardship to which the people are subjected at present.

The anomaly of Police officers drawing more than Rs. 150 and 200 appearing before the Magistracy with small salaries has been pointed out very often and the salaries are too low to enable officers to live comfortably with growing families or to resist temptation.

I need not press that question because the pay and prospects of Sub-Magistrates is to be taken into consideration. With reference to the remarks that fell from the Hon'ble Mr. P. S. Sivaswami Aiyar and the Hon'ble Mr. Krishnan Nayar, though in their experience a few individuals may be corrupt, yet I do not think that we have any right to make a remark so sweeping in character about the subordinate judiciary in the Presidency.

The Hon'ble M. KRISHNAN NAYAR :—I confined my remarks to the district which I knew best. I did not make any statement with reference to the Presidency as a whole.

The Hon'ble B. NARASIMHESWARA SARMA:—It may be perfectly true that the proportion of honest Munsifs may be larger than that of Sub-Magistrates. But the reason is clear: Sub-Magistrates have vast powers entrusted to them; the liberty of the people is at stake; they are comparatively low-paid and the chances of temptation are great. I perfectly agree with the Honourable Member who preceded me, that the mode of recruitment is one particular reason for that class of officials not having a high standard of efficiency set before them.

I would urge in this connection the desirability of enlarging the jurisdiction of benches and appointing more Honorary Magistrates and giving the accused the option to demand a trial before a Bench. With prices ruling so high and so continuously it is truly heroic on the part of the Government to have been able to resist the temptation of attempting to succour the unfortunately low paid clerks and menials. The expenditure would no doubt be heavy but sooner or later, sooner than later, the question must be faced and I would earnestly join those of my brother members who have been pleading the cause of these men at this Council table. The land revenue demand is being enhanced from day to day, the enhancement being based chiefly on a rise in prices and when the value of a rupee has fallen low-paid men whose salaries have been fixed a quarter of a century ago may well demand relief. But the Government might well ask where is the money to come from; it is one of the proud privileges of irresponsible criticism based on benevolent motives which have no place in finance, it might be said, which has dictated these suggestions. But may we not ask how has the money been found for the additional cost of administration which has grown by 4·66 lakhs in one year; how has money been paid for the founding of new districts and a few such irrelevant queries may be added.

In the adjustment of Provincial finance may be found a remedy which perhaps would not be open now; in the retrenchment of the grant on buildings and the like another; in the reduction of the cost of survey and settlement which has risen from 8 to 10 lakhs in two years, a third; in reducing the cost of collection a fourth; in the reduction of red tape and having fewer but better paid men a fifth and so on. In this connection now that village officers are paid by Government is there any need to have two ill-paid village officers the munsif and the karnam in all the villages? A sum of Rs. 15,28,787 is spent on karnams and assistant karnams and Rs. 11,20,096 is spent on village munsifs. The prospects of village officers may be rendered more alluring and by gradually amalgamating the two offices in one and the same person, the total cost may be reduced. The salaries of the nirgantis who draw between them Rs. 1,06,808 a year may well be debited to irrigation as they are concerned in the distribution of water and a portion of the cost of village watchmen may well be debited to the Police. We with our imperfect knowledge and materials can but point out what appear to us to be evils; the measures to remedy them lie with the Government.

Before parting with the services it may not be inappropriate to point out that the practical exclusion of Indians from the higher ranks of the salt, survey, etc., and even racial fitness can form no legitimate ground for exclusion, is causing deep discontent. And let us trust that ere long the disqualification would be removed in practice. The employment of Indians might well be the means of reducing the cost of these establishments.

Now to come to local self-government in whose name this Presidency is being mulcted so heavily in the shape of local taxation. There have been persistent demands both in the Council Chamber as well as outside for local self-government being made a reality, for the introduction of the elective element into Taluk Boards and Panchayats, for the greater non-officialising of local bodies and for the appointment of non-official Vice-Presidents. The answer has been that the time has not come to introduce the elective element and that if the official Boards ask for non-official Vice-Presidents, the Government would have no objection to see their way to granting their request. Nearly quarter of a century has passed since that great statesman Lord Ripon passed the Act of 1884 to train the people in the art of self-government.

Education is more widely spread in this province than elsewhere. There are hardly any factions. There are nearly a million pupils at school. 2·5 millions are literate and many besides them are in a position to exercise the franchise and surely it is not too early to make a beginning. If we are to wait till every peasant and every labourer knows to read and write, the Act might well be expunged from the Statute book. As to elected non-official Vice-Presidents of Local Boards and Presidents of Municipalities, it seems to be a little unreasonable to expect officialised Boards

to ask for the selection of non-officials. The Government would, I hope, look into the matter themselves and grant the requests of the people wherever possible. Except in the case of Nellore no provision seems to have been made for loans to Municipalities in the Northern Group. In the matter of their water-supply, Berhampur, Ellore and a number of other places are sorely in need of good water for drinking and I trust that the Government would be able to push on the schemes of water-supply in those parts as rapidly as possible.

I have reserved education to the last, following the order of importance usually supposed to be attached to it in official circles. Better days seem to be in store for us, as official sympathy is beginning to be roused in the education of the masses, than which there can be no subject of more absorbing and permanently abiding interest to all right thinking men who have the welfare of the land at heart. Free primary education is very nearly in our grasp and with a sympathetic Government whose recommendation would, I am sure, gladden the hearts of all when published, cannot be very much longer delayed. There can be no doubt about the sincerity of the desire on the part of the Government to promote all branches of education equally, primary, secondary and higher and the Government would excuse us if we who have the interest of education equally at heart cannot see eye to eye with them with regard to the methods pursued to attain the desired result. A recurring grant of six lakhs is being kindly provided by the Government of India; there is a grant to the University; the helping hand given to primary education ought to have enabled the Government and local bodies to spend more on secondary education ; but where are we? The administration report for 1905–1906 says that in the matter of University education there were in—

	1904–1905. Scholars.	1905–1906. Scholars.
Arts Colleges	4,527	4,394
Professional	786	738
Secondary—		
Upper secondary	50,875	50,088
Lower Secondary, English	35,042	33,720
Do. Vernacular	9,325	8,872
Primary boys	665,923	664,220
Total ..	841,034	839,910

advance in every direction, all along the line. But if there are fewer boys at school have we not got a larger number of Inspectors to supervise the teaching staff; has not the expenditure on inspection been swelled by two lakhs in four years from 3·24 lakhs in 1903–1904 to 5·24 lakhs in 1907–1908? What has the inspecting agency done to promote the number of schools and scholars? It cannot be said that there is no scope. There are 1,696 villages with a population ranging between 1,000 and 2,000, 4,744 with a population ranging between 500 and 1,000, 8,884, between 200 and 500, 11,191 with a population below 200 where there is not a single school. The results are very disappointing and there is another instance where colour is lent to the apparent truth of the popular belief that additional grants mean additional places and that the first thing a bureaucratic Government can think of, is supervision, control and more places. I earnestly implore the Government to have a definite scheme formulated providing for starting a definite number of schools every year so that the whole field may be covered in a certain number of years and at least 2,000 new schools can be started with the grant of six lakhs every year. If the department has not shown any activity in the direction of imparting education to a greater number of youth, elaborate rules have been framed, the effect of some of which, it is feared, would be to cramp the growth of secondary education and seriously check aided education. All the school-going children except in places where there are secondary schools would have to lose at least one year if they wish to receive the benefits of secondary education as they must be placed in the fourth standard whatever their qualifications may be and there seems to be no particular reason why the headmasters of schools, who according to the new rules are supposed to be responsible and respectable men should not be given discretion in the matter subject if need be to the general control of the inspecting officers. The rule fixing the minimum in translation in F.A. and B.A.

would grievously affect boys whose second language is Sanskrit and requires modification. I am sure that the present Director of Education, an experienced educationist, determined to advance the cause of education, would see his way to devising means for the growth of primary education throughout the Presidency and backward districts such as Salem and Vizagapatam would receive his special attention.

While deeply thankful to the Madras Government for what has been done in the past to promote technical and industrial education, and it is only the indulgent and kind parent that is approached by the clamorous child, the public have, it must be confessed, been sorely disappointed having had their expectations raised so high at the inactivity recently exhibited by the Government in this direction. The recommendations of the Committee on Industrial Education are clear and definite and they recommend unanimously among other things the institution of a metal-work school with a capital expenditure of a lakh and an annual recurring expenditure of half a lakh having regard to the immense imports of cutlery, brass, etc., to the value of 230 lakhs annually, the equipment of the Engineering College on the scale existing at Roorki, the starting of training schools for instructors in the wood, iron and mechanical industries in the workshop of Engineering College and the public have a right to know what has been done, why the proposals have not been found feasible, what about the recommendations of the Madras Government and the views of the Government of India are. The true and right swadeshi spirit is beginning to be roused in the breast of the people and many are anxious to start new concerns to promote the industrial development of the country, but the want of men with technical knowledge to advise and the dearth of competent mechanics are keenly felt and it would be great pity if the regeneration of the country is retarded for want of competent advice and the requisite mechanical skill in the land. The appointment of Mr. Chatterton who has the interests of the country at heart is highly welcome, but we want schools polytechnic for training our young men and it would be a pity a thousand pities if a wrong impression were to be created that an unsympathetic Government drives its young men year after year to learn the elements of industrial education abroad. I venture therefore to appeal once again to the Government to evince a sympathetic attitude in the matter, take advantage of the swadeshi spirit and endeavour by every means in its power to place this industrially most backward province on the high road to economic and industrial prosperity and I trust that Your Excellency will signalise your career by initiating and carrying to a successful completion a scheme calculated to promote the economic and material prosperity of the Presidency.

1-20 P.M.

The Hon'ble Nawab MUHAMMAD RAZA KHAN :—Your Excellency, I rise to perform the very pleasant duty of submitting that the continuing prosperity of our country enables me to repeat my last year's congratulations to the Government and to the Hon'ble Mr. Forbes on the eminently satisfactory nature of the Financial Statement prepared with the high standard of lucidity and precision and placed before us with so much clearness. It is noted with gratification that the striking series of measures calculated to aid agriculturists and poorer classes sanctioned by the supreme Government are welcomed throughout our country where the reduction of the salt tax, the liberal contribution for famine relief, the police reform, the improvement in the salaries of Forest officers and free primary education are heartily appreciated. It is observed also with sincere satisfaction that the extension of agricultural, technical and industrial education absolutely requisite for developing the resources of our country has been steadily receiving the careful attention of Government under the patient and far seeing personal efforts of the Hon'ble Mr. A. E. Castlestuart Stuart. The recent formation of a separate Agricultural Department under a Director of Agriculture working under the general supervision of the Settlement Member of the Board of Revenue and assisted by two Deputy Directors and an Agricultural Chemist, the opening of a Central Agricultural farm and teaching and research institute at Coimbatore and the experimental farms proposed to be established in several other centres testify to the fact that Your Excellency has well grasped the real needs of our country and that every genuine effort is being rendered to advance the material prosperity of us committed to your care by a wise Providence. It is indeed a satisfaction that the Sirkar is taking all possible steps to improve and stimulate the weaving industry of our country by the introduction of improved methods and machinery. It is regrettable that the weavers of Salem have not taken kindly to the new methods; but continued demonstration at the same centre will, let us hope, open the eyes of those weavers. I

respectfully assure Your Excellency that we all are grateful to Government for these well-considered measures for ameliorating our general status.

Lastly, may I with Your Excellency's permission draw the attention of Government to the urgent need for improving the pay and prospects of the subordinate Revenue clerks. They work day and night very hard as shown by my long personal experience but receive the pay which cannot, in the least, be considered as adequate to the labour exacted of them.

1-25 P.M.

The Hon'ble K. R. GURUSWAMI AIYAR :—May it please Your Excellency, In my remarks on the budget last year, I asked that the memorandum accompanying the Financial Statement might be distributed to Members of this Council at least a fortnight before the discussion. As the Hon'ble Mr. Forbes has pointed out, this request has been complied with this year, and he has further laid the members under obligation by making the memorandum more elaborately explanatory. Nevertheless, by the very nature of it, that document is liable to the criticism, whoever may be the author of it, that it is a dry routine production; and invariably the introductory speech of the member in charge has to be awaited with eagerness for a clear grasp of the situation. This year Your Excellency has supplemented that speech with a highly instructive review of the administrative events of last year, which, I am happy to acknowledge with thanks, is so full of genuine sympathy for the millions committed to your care. If Your Excellency will permit, I am disposed to suggest a change in the arrangement for the discussion of the budget which is likely to render that discussion more pointed and effective.

I wish to put it to Government to consider whether it will be very inconvenient to have the introduction of the budget on one day, and the discussion on it some days later, as they do in the Imperial Legislative Council. By way of a provincial precedent, I am able to refer to Bengal where such a course seems to have been adopted last year. Honourable Members coming from long distances to attend the meeting at Madras may find it perhaps inconvenient to stay long at a stretch, but it should be possible to make the interval I suggest so short, that their trip and stay here may not altogether take more than a week. As for Government and the official members I do not know that in their case—they are all ordinarily resident at Madras—there can be much inconvenience.

I do not know if it has struck Your Excellency or your colleagues—I have thought since coming to this Council—that there could be a very useful adjunct to this chamber in the shape of a library with sufficient accommodation and convenience for reading and consultation, and with facilities provided even for circulation of books and papers to members of this Council. Occasionally, the library would afford a very suitable meeting place to non-official members to meet and compare notes on legislative matters when they may find the necessity to do so. If this suggestion should meet with the concurrence of Government, I trust that the cost of the addition will not be deemed prohibitive.

Turning to the Budget, I am extremely glad to join in the chorus of thanksgiving that has already been raised over the boons that have flowed down to the Provinces from the surpluses at the command of the Government of India. Of such boons, I will only specifically notice, though briefly, the insurance that the Government of India has offered to effect against famine expenditure in behalf of the provinces. About this time, last year, the Government of India seemed alive to the importance of such a measure. But I did not suppose that a concession of such magnitude and importance would be made so soon as within a year. The financial prosperity of the Government of India has led to such an early fulfilment of the desire of Provincial Governments and our thanks are due in a greater measure for this relief than for any other. The grant of two and a half lakhs of rupees per annum to this Government up to a maximum reserve of twenty-five lakhs seems to us here, an inadequate recognition of the needs of this province, and our representative, the Hon'ble Mr. Sim, has lost no time in pointing out the defect from his place in the Imperial Council. An encouraging reply has been vouchsafed by the Finance Minister, and apart from the provisional character of the grants proposed, we may also rely, on what appears to me to be a chief merit of the proposals, that they are elastic in their terms. If so early as now an obvious defect may be pointed out, I would venture to say with reference to

the contingency of a famine being so prolonged as to deplete the provincial balances that the further assistance promised by the Government of India from Imperial Revenues might more advantageously come when these balances reach the prescribed minimum, than when they go down to one half of it.

While feeling gratified at the financial prosperity of the Government of the country, one's thoughts naturally go to the poor struggling millions of its population who are so badly affected by the very high prices that prevail of the prime necessaries of life. This rise of prices, as Your Excellency has admitted, is verily inscrutable. Prosperity on the side of Government and adversity on the side of the people—that is the picture of contrast that impresses itself on the onlooker. The occasion is one when the Government and its officials should guard themselves against being led away by the figures in their blue books. After seeing the country and its people during your tours in the districts, Your Excellency has, in your speech yesterday given it as an important result of your observation that the toiling millions of this land are often found to struggle between sufficiency and want. I would only appeal to Your Excellency to keep that outlook steadily in view, during the rest of your administration; for I feel confident that, with the resources coming from the prosperous state exchequer into your hands, and with that picture of the condition of the people before you, your measures must necessarily become sympathetic and therefore highly beneficial.

The major head of Land Revenue in the Budget is the first to claim my attention; and I propose to advert to two items there, namely, the introduction of re-settlement rates in certain portions of the Districts of Cuddapah, Kurnool, Chingleput and Tinnevelly, and the lump provision of one lakh for the constitution of additional districts. One feature common to both these items is, that the budget estimate, in the one case of income, and in the other of expenditure, is laid for discussion before this Council, without any intimation as to the nature of the schemes contemplated. I cannot but call to my mind, Sir, in this connection the present anomalous nature of the Budget discussion, that the members taking part in it, have no power to divide the Council thereon. I respectfully venture to ask, whether in such a case, Government would apply for a vote of one lakh of rupees for the re-formation of districts, without telling the Council beforehand, what districts are to be re-formed, and how, and for what reason. I would also ask whether it would be possible for Government to propose additional taxation on agricultural holdings without specifying the grounds and extent of such taxation, and establishing the equitableness of it. If such powers are wanting in the case of Additional Members of this Council, I put it to Government to consider whether it is at all fair that they should withhold information on such important points, even until the stage of framing their budget of income and expenditure. Your Excellency, it passes my comprehension why so much reticence and secrecy should be maintained in these matters. As the Hon'ble Mr. Krishnan Nayar has pointed out, there can be no antagonism of views between the Government and the people regarding a matter like the re-distribution of districts. If the details of the re-distribution are to be published to those who are to be affected by it after the fullest correspondence on the subject has been had, and the ultimate sanction of the highest authority has been granted, I ask, what benefit there can be in an expression of popular opinion after that stage. Questions have been asked in this Council more than once on the subject and have met only with the response that no disclosure could be made. Even in his introductory speech yesterday the Hon'ble Mr. Forbes has failed to indicate the lines of the proposed re-distribution. The need for a statement is even more imperative in the case of the proposed revenue re-settlement. I earnestly appeal to the Hon'ble Mr. Forbes to make a declaration on these subjects in his reply.

Before leaving the subject of district re-distribution, I would ask with reference to the lump provisions of one lakh on the revenue side, and half a lakh on the judicial, that the opportunity should not be lost sight of by Government to confer the higher offices of the new districts on Indians of approved merit. The new offices of Collector and Judge will form a graceful and handsome addition to the uncovenanted list which still includes so few higher appointments. The occasion when new appointments are created is the most convenient, I need hardly say, to meet the aspirations of the people for a larger participation in higher offices without prejudice to those who have entered the Covenanted Civil service on the footing of a particular extent of scope for their promotion.

The next budget head I desire to notice is that of "Assessed taxes". The assessable minimum of income was raised in 1903–1904, and the income-tax fell by 5·55 lakhs of rupees. The present estimate is 28 lakhs, and in another year perhaps a complete recoupment will have taken place. The memorandum states that the revenue under this head shows a progressive increase, and the Hon'ble Mr. Forbes has added the comment in his speech, that here is an indication of the progress of arts and industries. I sincerely wish, Sir, that the progress of arts and industries were as rapid as the rise of the income-tax. Those who know the country and are of the country do not see the progress of prosperity inferred from income-tax returns. The fact seems to be that while the agency of the Revenue Department show such admirable exploitation as the returns show, and herein I cordially corroborate the views of the Hon'ble Mr. Krishnan Nayar—the agency for the exploitation of the industrial resources of the country is neither so brisk nor so successful. But that is our fault, while the income-tax return is the praise of the tax-gatherer.

Under the head of Registration, I have only to reiterate what I said last year, that there is room for reduction of fees as the department ought not to be treated as a source of revenue.

In the programme of police reorganization budgeted for this year, I wish to express my gratification at the fact that two, at any rate, of the grades of Inspectors, namely, the third and fourth, are to be given the new rates of pay. With previous budget grants lapsed, and with fresh grants on hand, I fail to understand what difficulties there could be in admitting all the grades of Inspectors at once to the pecuniary benefits of the reorganization. As for the Madras City Police, I advocated the claims of the Native officers of that force in my speech last year, and I was led to hope that the occasion of its reorganization would be availed of to consider their claims. I have only to express my expectation that their just claims will now be favourably considered and all inequalities redressed in the ranks of that force.

Turning to the head of Education, though the Council has listened to a number of speeches on that branch of the budget, I feel I am unable to pass on without making my own addition to the discussion on it. It is no doubt highly gratifying that we are getting the yearly grant of six lakhs and are soon to have free primary education with all the further grants that that policy must imply. But it must be said the methods adopted to spend the grants have failed to commend themselves to all those who are interested in education. One would think that schools must exist before buildings are provided. Many a primary school has gone on for years without permanent buildings, but to the mind of Dr. Bourne buildings were the best guarantees for the creation of schools. Possibly, if a strong pucka school building stood in the village, even schools that might cease at a time might again come to life on that account. But such enduring buildings have not arisen under the policy of Dr. Bourne. In many a place, very indifferent constructions have been made, and occasionally bills for repair have preceded the assembling of the school. But I feel from what I have listened at this table yesterday that a halt will be made in the methods pursued and better methods adopted for the spread of primary education.

On the question of the University and the Colleges, I need not add anything to what has fallen from the Hon'ble Mr. Sivaswami Aiyar. Indeed, I noticed during the course of his speech yesterday how solicitous the Hon'ble Mr. Forbes was to meet the demands of colleges.

The question of secondary education is the most distressing topic at the present moment. I wish to associate myself in this connection with every word of the convincing criticism that the Council listened to yesterday from the Hon'ble Mr. Krishnan Nayar. It is unfortunate that Dr. Bourne who advised the Government to promulgate the present Educational rules is not present at this meeting to justify his policy. But I fervently hope that his acting successor who is with us, and who has known the country, its needs and difficulties for a longer time than Dr. Bourne, will not allow himself to be overcome by any sense of delicacy in dealing with these rules as they deserve. I am anxious, Sir, not to repeat what other Honourable Members have said, and well said, on this question. But I must refer to two aspects. The first and most important is that under these rules there will be so few secondary schools even of an incomplete character, that boys of tender years will have to live far away from their homes and parents in order to benefit by those schools. I have had the benefit of a private discussion with the Hon'ble Mr. Logan on this aspect of the question, and have no doubt that he

will bear me out when I say that this difficulty is real and grave. European parents may commit their children in their tender years to the care of teachers in distant places for purposes of boarding, teaching and general up-bringing. But the condition of things in this country is not the same. Young boys will not be sent to distant schools by Indian parents even if boarding schools and such like arrangements were available, and what is wanted here is to give them facilities for their education nearer home. In this view, incomplete secondary schools, say up to the fourth form, would be necessary in many places in each district. And the inevitable tendency of the rules is to sweep away such schools if they exist, and check the rise of new ones. According to the rules, the fourth, fifth and sixth forms have to be taught by teachers with collegiate training while the first, second and third forms may be taught by trained Matriculates. There must be a separate man with collegiate training to act as headmaster and every complete secondary school should therefore have four B.A. L.Ts. besides three other masters for the lower forms. Let us suppose that for the work of co-ordination a school with all the six forms requires a separate L.T. headmaster. But where is the necessity in an incomplete school, having forms up to the fourth, to have one L.T. for that form and another L.T. to act as headmaster? Where again is the necessity in a school with forms up to the third to affiliate it to a neighbouring complete school under an L.T., so long as the Matriculate headmaster is also a trained teacher? It looks as if an L.T. alone is fit to supervise a school however low the forms in that school may be. This, Sir, is efficiency with a vengeance! On this question there is so much unanimity of opinion in the country among those who are most deeply interested in secondary education that the authors of the rule must give way. I am sure that these rules would not have been promulgated if the public had been taken into confidence before framing them. And now that they have been condemned on all hands I venture to express the hope that their withdrawal will be as speedy as their promulgation was hasty.

The next aspect of the question I would advert to is the principle underlying the conditions of grants-in-aid. Towards the cost of maintenance *minus* its income, Government will contribute as much as the managing body can get from endowments or subscriptions. Time was when schools used to be maintained from fees and Government grants alone. But in the name of efficiency the cost of maintenance has been considerably enhanced. With fees levied at standard rates no school can maintain itself without grant-in-aid, and no grant-in-aid will be given unless there is income from endowments or other sources. Apparently the policy of Government is indirectly to compel the creation of endowments for schools. If so, it is not by giving grants that Government tries to help schools forward, but by withholding them. The only sound policy, I venture to submit, is that of supplementing the fee income by grants-in-aid; for under the rules, the earning of the grant becomes in many cases an impossibility. Unless, Sir, the Educational rules are freely altered in the directions so largely recommended in the press and in this Council, we shall have to meet about this time next year to deplore their disastrous consequences.

Before leaving the subject of education I desire to suggest that greater expenditure may be incurred on Sanskrit education. Sanskrit *tols* have long been in existence in Bengal besides at Sanskrit college, and they have received considerable support from Government. In the neighbouring state of Travancore the Darbar maintains a Sanskrit college at considerable expense and the students are given stipends, well-trained, and admitted to degrees. I am aware that recently an Inspector of Sanskrit Schools has been appointed in this province, and have heard that in his tours he exerts to persuade people to take advantage of the encouragement of Government in the matter of Sanskrit education. But I think that Government should maintain at least one model institution teaching up to the highest standard and on modern methods, so that the country may receive from it a yearly supply of scholars to undertake the task of spreading and improving Sanskrit education.

I pass on next to the question of aid to local bodies. Here there can be hardly two opinions about the financial position of these bodies and their resources. That position is very poor, and their resources do not appear capable of further development. The other day the limit of taxation was enhanced in Hill Municipalities to which I objected; and I am sure that if to-morrow a similar legislative attempt were to be made with regard to the Municipalities on the plains, Government will meet with a loud chorus of complaint and opposition from all my non-official colleagues and the

press. I spoke with appreciation of the grants made to Ootacamund to combat the plague and promote the sanitary needs of the locality and suggested as an alternative to the legislative enhancement of taxation, the desirability of making a few lakhs more of further grants. When I made that proposal I did not plead for any very special indulgence in respect of Ootacamund, though such a plea would not be wholly unjustifiable on account of the special situation of that Municipality by reason of the dire visitation of the plague and otherwise. My point then was, and it now is, that Municipalities are unable to find all the money they require for the important objects they have to promote and for such sanitary works at any rate as water-works and drainage. Their funds require to be supplemented considerably by free grants from Government. I ask the Honourable Members on both sides of the table, and the question may as well be put to such of the press in the country as objected to grants being made to the Ootacamund Municipality, whether it is possible for these works being undertaken without Government grants. One mode of assistance in vogue is that of giving loans at easy rates of interest. I do not consider, Sir, that that kind of assistance could be any very tangible relief to Municipalities without savings and with the limits of bearable taxation already reached. Free grants can alone save the situation, and I am happy to acknowledge that such grants have been occasionally given ere now. The Hon'ble Sir V. C. Desikachariyar has appealed from time to time in behalf of the City Corporation and not in vain. In the case of the Corporation, this Government has had to think in lakhs and act also in the same way, and I do not at all grudge it, for I believe that the general tax-payer of the country is considerably interested in the proper sanitary upkeep of the Metropolis. Similarly I only wish to contend that the same tax-payer is equally interested in the proper upkeep of mufassal municipal towns also, whether it is a hill-station like Ootacamund, or a big mufassal city like Madura or Trichinopoly, or an ordinary municipal town like Periyakulam or Palni. But it is hardly necessary that I should labour this point, for now that the disturbing element of the case of Ootacamund does not cloud the vision, I find there is general unanimity as to the policy of making free grants to Municipalities. As I have already said, such grants have been made before, and now to the City Corporation a fresh grant of 5 lakhs has been announced. If to the advocates of the general tax-payer I say that the policy of these grants is sound, I must beg leave to remind Government that Municipalities receive them not as concessions but as a matter of right. Before the creation of municipal bodies and municipal taxation the objects which those bodies promote formed the care of the State and a charge on its general revenue. When local taxation was introduced in towns the question is whether the burden of the State was entirely shifted to municipal bodies and their resources. As for the duty of the State regarding communications, education and sanitation, whether in urban or rural tracts, there could be no two opinions. During the earlier stages of British rule this duty was recognized and the general revenue of the country was intended to promote those objects as well, that now form the only care of local bodies. When these local bodies were brought into existence, I maintain that their revenues were intended to supplement the resources of the State and not entirely to relieve them of this charge. An examination of the history of municipal legislation in this country will, I contend, bear out my statement. It must be interesting to know if any authority the other way could be gleaned from the literature relating to that legislation. I am anxious to obtain acceptance for this view, because free grants of Government are so often given and accepted as concessions, while, if the right view had prevailed there would have been definite allotments from year to year from Provincial funds for sanitary works, and most of our towns would have insistently demanded and partially at any rate obtained help for undertaking those urgent works of water-supply and drainage which still lie neglected. For everything, Sir, there is a time, and that time, I now consider, has come. It has come, I believe, with the advent of surpluses and your own advent to rule over this province. You have expressed your grief yesterday at the dire havoc of cholera and graciously announced your intention to undertake the steady improvement of water-supply and drainage in municipal towns during your career. Great are the benefits that have already arisen and are expected further to arise in the matter of communications from the recurring grant of 14 lakhs to local boards. A similar policy towards water-works and drainage in municipal towns is absolutely necessary to cleanse them of their filth and make them worth living in. Those in the mufassal who have had anything to do with the distribution over individual tracts of the allotments made from the grant of 14 lakhs will bear me out when I say that there is the most unappeasable scramble among

rural representatives, and that every claim urged seems legitimate. That shows how long just expenditure has been withheld and I say that this condition has been reached by a mistaken notion that the Provincial revenue is not liable, and that local taxation is alone liable, to maintain communications. Similarly when you go into municipal towns, you will find evidence everywhere of drainage and water-works systematically neglected, because the same mistaken notion seems to have prevailed, and conveniently prevailed so far as the predominant partner, the Government, is concerned, that those works of sanitation are a charge only on municipal taxation. I need not dilate more on this aspect, because, as I said above, I gather from the gracious utterance of Your Excellency yesterday that you have carefully scrutinised the condition of those towns that you have visited and set before yourself a programme of municipal improvement which, I have every confidence, will be persevered in with the utmost liberality.

If I may mention one or two specific cases deserving liberal aid, I shall not refer to my own place, Tinnevelly, for which I have another channel of communication, but I will rather refer to the claims of Madura and Trichinopoly, both of which are next in importance only to Madras, and the needs of which are very urgent and imperative. The drainage works in these two places cannot possibly be constructed without much more liberal aid in the shape of free grants than the Government perhaps has hitherto thought of making.

I next turn to the topic of Law and Justice in which I cannot but feel great interest. I would however urge my contentions not from that point of view, for I am anxious that the claims of the department should be judged from its intrinsic importance. Regarding Sub-Magistrates, there is now an assurance that their pay and prospects are going to be improved, and I should be glad to hear favourable pronouncements from Government in the matter of their recruitment also. Recruitment from the bar instead of from the clerical grades of the Revenue Department is, I consider, a *sine qua non* for its success. Side by side with the contemplated reform this opportunity must be taken for completely dissociating magisterial functions from those of Deputy Tahsildars wherever they are combined. It is to be hoped that I shall not be met with the answer that any Revenue officer's prestige will thereby suffer, for I think everybody must agree at this time of the day that it is a completely exploded doctrine. When these Sub-Magistrates are given a scale of pay such as I advocated last year, Rs. 175 to Rs. 225, and when they are recruited from the bar, as they ought to be, and placed under the control of Sessions Judges and the High Court, then they will pass by easy transition into the ranks of Munsifs and Sub-Judges whose scale of pay, I believe, will also be correspondingly improved in the near future.

Regarding Munsifs and Sub-Judges, I will not repeat my remarks made last year. I however refer to the subject, and must do so so long as I have a voice in this Council, for I consider that their claims are eminently just and highly imperative. The only question that I shall advert to in connection with the improvement of Sub-Magistrates, Munsifs, and Sub-Judges is that of ways and means. Times out of number it has been pointed out in this Council that the Department of Law and Justice is being worked as a source of revenue to the State. The yearly Provincial gain from judicial receipts has ranged between 10 and 17 lakhs and this has gone on for many years. The theory that jails can be supported from judicial receipts was admitted last year by the Hon'ble Mr. Forbes to be at least a disputable point. Far from its being disputable I think it perfectly clear that if the Police are to be maintained from the general revenue to prevent crime, jails must equally be maintained from the same source for the purpose of guarding criminals. That is the penalty or cost, whichever way you view it, that the general tax-payer has to incur for his protection from crime and criminals. What then is the difficulty in applying the balance of judicial receipts to the improvement of the judiciary? In answer to my remarks and those of my friend Mr. Govindaraghava Aiyar on this subject last year the Hon'ble Mr. Forbes said that the Government of India viewed the matter not from the standpoint of one province, but from that of all the provinces, from the Himalayas to Cape Comorin, and from Burma to the Frontier Province Viewed in that way the Hon'ble Mr. Forbes made the Council understand that there were no balances from which to draw for the improvement of the judiciary. I find, however, that viewed in any way there is a considerable balance to draw from. It is true that the Judicial administration in Burma is a losing concern to the extent of about 10 lakhs a year,

and in the North-West Frontier Province, the loss seems to be about a lakh. But some other provinces have been making considerable gains, and viewing all India together, the figures that I take from the accounts of 1904–1905 show a yearly gain of over Rs. 56 lakhs.

	India. LAKHS.	Madras. LAKHS.
Receipts from Court-fees	382·35	55·66
Receipts from Law and Justice (Courts)	38·14	7·81
Total ..	420·49	63·47
* Charges under Court-fees (¾ of the charges under Stamps) both in India and in England	13·52	3·88
Charges under Law and Justice (Courts)	350·66	49·40
Total ..	364·18	53·28
Savings ..	56·31	10·19

Thus in 1904–1905 which is not particularly a favourable year, Madras has gained 10 lakhs—and it has often gained more—and the whole of India has gained over Rs. 56 lakhs. I may inform the Council that I have not neglected the charges under Stamps in England though I have neglected a trivial sum under receipts under Law and Justice in that country. I must further state that I have taken into consideration not the total receipts under Stamps but only receipts under Court-fees under the major head of Stamps.

The Hon'ble Mr. Forbes was pleased to refer in his speech last year to the whole revenue from stamps, judicial as well as non-judicial, as appertaining to judicial receipts, but I have been content to limit my calculation of profit by adding court-fees only to other judicial receipts. It is by such calculation that I find all India making a gain of over 56 lakhs of rupees per annum. I have taken my figures from the accounts of two years ago, but it will be allowed that judicial receipts are a steadily growing item, and it is only for want of later figures that I have drawn from the accounts of 1904–1905. If later accounts tell a different tale it must be interesting to know that fact from those who have greater access to official information. I am certain they cannot tell a different tale. If India viewed all round is found only to gain from judicial administration to the tune of over 56 lakhs, I go the further length of submitting that an all-round view of India in this matter is not fair. I am unable to comprehend, Sir, why receipts from court-fees should be classed under stamps at all and the Government of India allowed to share in the surplus with the Provincial Governments, not alone under the head of non-judicial stamps, but also under the head of court-fees. Court-fees, I submit, ought to be a minor head under the major head of Law and Justice (Courts), and then whether the Government of India is admitted to a share of the surplus under that head or not, the charges under the head will have been wholly appropriated from the receipts before any such sharing can take place. But the whole system of sharing in the surplus from judicial receipts is faulty in principle; for the first and axiomatic principle relating to judicial administration is that it ought not to be made a source of revenue. Government has however so long gained from this department that apparently for the purpose of justification it has been led into the adoption of the subterfuge of classifying court-fees under stamps and linking jails with Law and Justice. Why, Sir, court-fees paid in cash are brought under Law and Justice (Courts), and I fail to understand why court-fees paid in stamps should not also be classed thereunder. If I am right, Sir, in these contentions, the latest argument that has been heard on this question of judicial balances vanishes, and I will add that if judicial receipts of all kinds were to be applied solely to the needs of judicial administration, not only can the judiciary be improved, but the financial difficulty usually mentioned in connection with the separation of executive from judicial functions may also be successfully tackled.

There is only one other topic, Your Excellency, with reference to which I have to detain the Council a few minutes more. The scale of pay now obtaining in the case of Hospital Assistants is not at all satisfactory. The scale of pay seems to be as follows:—

Rs. 25, Rs. 35, Rs. 45, Rs. 55, Rs. 70.

Hospital Assistants have to be at least Matriculates and their technical training goes on for four years. They appear to have practically no chance of promotion to

* The receipts under Court-fees are slightly over the ¾ths of the total receipts under Stamps.

the grades of Assistant Surgeons, and the highest pay available to them seems to be Rs. 70. As for private practice, those who know the country will admit that English treatment has not become sufficiently popular in rural tracts to bring any income from that source. To men of the qualification of Hospital Assistants a start of Rs. 25 and a goal of Rs. 70 are most uninviting. A good deal of complaint has already been raised in the press in behalf of these public servants and the answer of Government yesterday to a question of mine on the subject was that they were not aware of it. I am surprised that such an answer was given notwithstanding that I gave a detailed list of the journals with dates which published the above complaints among others. I earnestly appeal to Government to turn their sympathetic attention towards these poor officers and render their condition more satisfactory. It does not seem too much to ask that the scale of pay for these officers be made Rs. 50 to Rs. 100. Sub-Inspectors of Police start on Rs. 50. I hope that Hospital Assistants are neither an inferior class of men nor entrusted with less important duties.

2-5 P.M.

At this stage, the Council adjourned and reassembled at 2-50 P.M.

The Hon'ble Mr. J. N. ATKINSON :—It was an agreeable surprise to me to find how little Honourable Members opposite had to say on the subjects with which the Settlement department is concerned. Time was when that department used to receive an altogether embarrassing share of the attentions of those Members; and it was therefore with some trepidation that I looked forward to the proceedings at this meeting, partly because in the one week during which it has been my fortune and my burden to preside over the department, I have had no sufficient opportunity to make myself acquainted with all the subjects on which I anticipated a stiff *viva voce* examination to-day, and partly because it must necessarily take some time before I can feel that the fit of the mantle which has so recently fallen on my shoulders is satisfactory.

2-50 P.M.

However, Honourable Members have been very moderate in their demands and I trust that I shall have no insuperable difficulty in giving them the information they require or in answering the few criticisms that have been offered.

There have been as usual a good many requests for pecuniary and other assistance from Government and I sometimes wonder, whether it would not be more appropriate to call this budget meeting not the annual field day but the festival of "St. Oliver Twist." Most of the requests for more were directed to other than the Settlement Department; but the Honourable the Rajas of Kurupam and of Kollengode both pleaded for grants of money for agricultural associations. I believe that no such grants have hitherto been made and though I speak with the utmost diffidence on a subject which I have as yet had no opportunity to look into, yet I am bound to say that on general principles the requests of the two Honourable Members seem to me of very doubtful utility. I know that I run the risk of being called unkind, ungenerous—that terrible qualification unsympathetic, but surely one of the main objects of these associations is to encourage the principle of self-help. The necessity of such encouragement is now-a-days a commonplace of political and publicist writers throughout India and surely if there is one subject in which the people of the country should be capable of dispensing with all extraneous aid, and in which their interest should be so great as to make them willing to rely entirely on their own exertions it is that of agriculture. Speaking as I have said only from imperfect knowledge, I venture to suggest that while Government recognition in the way of offering prizes or other special assistance might be advisable, the grant of a pecuniary subvention would be of very doubtful advantage.

There was another request by the Honourable the Raja of Kurupam echoed by the Hon'ble Mr. Krishnan Nayar that an experimental farm should be started in each district, and that itinerating Inspectors should be employed to give advice and assistance in regard to cultivation and more particularly to the rearing of stock. As regards the rearing of stock I may say that this is a subject which is engaging the most anxious attention of the Agricultural department and as far as I have been able to learn, the results up to the present time are most encouraging. The immediate intentions of Government with regard to the establishment of farms have been indicated in the memorandum that accompanies the Financial statement. The Honourable Members will recognize from what has been done in the past and from the intentions expressed in that memorandum that Government have the fullest intention of doing

all in their power to serve the true interests of agriculture, but experimental farms, it is obvious, must be established in accordance with considerations that have relation to scientific, that is agricultural conditions, and not with reference to the totally distinct principles which brought about the constitution of this or that tract of country into the administrative unit called a district. There was one other matter which the Honourable the Raja of Kurupam and subsequently the Hon'ble Mr. B. Narasimheswara Sarma alluded to, which, though not related to the work of the Settlement Department, is one with which I have had some special connection in the past and to which therefore I may briefly refer. The Honourable Member remarked that he would "venture to express the hope that the Government would ere long see fit to follow the benevolent policy of relieving the burden of the poor toiling masses of the people by remission of the village service cess." I think he is under a misapprehension. I may be wrong, but I gather from his language that he believes the Proprietary Estates Village Service Cess to be in force throughout the Presidency, perhaps also that it has been in force for an indefinite time past. Now if he will turn to page 32* of the memorandum he will see that the Proprietary Village Service fund brought in as collection, in 1903–1904 only Rs. 539, in the following year Rs. 513 and in 1905–1906 Rs. 83,641. The fact of the matter is that the cess has been imposed only in a small portion of the Presidency. I do not know if it has even been imposed in the estate belonging to the Honourable the Raja of Kurupam. Furthermore there is no question of the Government collecting the cess from the ryots. The Act on that point is clear. The Act says "Every proprietor shall, subject to the following provisos pay to Government the cess due under this Act in respect of all occupied lands in his estate," and then it goes on to say "in the case of all lands occupied by tenants it shall be lawful for the proprietor to recover from such tenants, in accordance with the provisions of Madras Act VIII of 1865, half the cess payable by him in respect of the lands so occupied". Therefore it is obvious that the Government collects nothing on account of the Proprietary Village Service fund from the "poor toiling millions," but only collects from the zamindar, and it is left to the zamindar to collect it from the people if he chooses to do so.

I listened to the remarks of the Hon'ble Mr. Srinivasa Rao on the subject of the differential water-rate in Kurnool with the utmost interest. This subject is one which engaged the closest attention of the Board of Revenue and of Government, and the decision to adopt the principle of a differential instead of a uniform rate was arrived at in what was believed to be the interests of the ryot, and in anticipation of some sacrifice of revenue. I think the Honourable Member has misunderstood the proposal and the mode in which it will be worked. He seems to assume in the first place that the reclassification of soils in five sorts, instead of three as in the old settlement, was in some way connected with, if not a necessary preliminary to the introduction of the differential water-rate. In fact I understood him to imply that if it had not been for the intention to impose a differential instead of a uniform water-rate, reclassification would never have taken place. This I need hardly say is a complete misconception. Reclassification in five sorts was an attempt to attain a more scientific arrangement of soils for purpose of assessment, and though he makes light of the notion that a mere increase in the number of sorts is any nearer approximation to scientific accuracy, I can assure him that it has a very practical bearing on the application of rates of assessment. Increase in sorts of necessity means increase in the number of money rates, or to put it in another way it means decrease in the difference between the several money rates. If you have only three sorts of soil you will have in that particular class of soil only three money rates, and there may be differences of a rupee or more between them. Such large differences are obviously inconvenient and anomalous. I need not labour the point; but it is clear that the different sorts of soil merge one in another by such infinite gradations that any large difference in the various rates of assessment imposed must necessarily tend to inequality. But the introduction of the differential water-rate had nothing whatever to do with the reclassification of soils. It would have been introduced, had there been no reclassification at all. Nor if the Honourable Member looks into the mode of applying the differential water-rate will he find, I think, that it is such a complicated matter or that it leaves so much in the hands of the karnam as he supposes. I speak subject to correction. The system is not a novel one, rather it is an old system, universally followed throughout the Presidency up till less than half a

* 161 *infra.*

century ago, but in its modern form purged from much that was objectionable and remodelled in what was hoped to be a simple intelligible and rational form. The assumption underlying the differential water-rate system is that the assessment of different classes of soil has been fairly made. In each case classification has been made and rates of assessment deduced both as "dry" and "wet" that is, to meet the contingency of the field being cultivated either with dry or wet crops. If a field be cultivated with dry crops it pays the dry assessment, if by the aid of Government water it be cultivated with wet crops, what should it pay? The obvious logical answer seems—the wet assessment. But the ryot has no intention of always growing wet crops in the field and therefore there is no use in transferring nor does he wish that the field should be transferred to wet. The charge for water must therefore be levied as separate water-rate and then comes the question how to calculate the water-rate. Are we to impose a round sum uniform for all sorts and kinds of soil; or shall we try to adjust the rate to the hygroscopic and other characteristics of the soil, by which its productivity when irrigated is affected? On the face of it there seems little doubt that adjustment is called for. Some kinds of soil respond readily to irrigation, some less so, and as the benefit of the irrigation varies so it would seem should the amount of the charge for water. And if you have already ascertained by the enquiries and experiments which form the basis on which the money rates of assessment have been calculated, what is the money value of the benefit conferred on each field by applying irrigation to it, surely the obvious course is to make use of the knowledge thus acquired and charge for the irrigation the ascertained value of the benefit conferred by it; in other words charge as water-rate the difference between the wet and dry rates. That is the mode of dealing with irrigation of wet crops proper in dry land. But there is of course the question of what rate to charge when the crop raised and irrigated is a dry one. Here we have very little in the way of data to guide us; the value of irrigation as applied to dry crops varies very greatly, and not only have we very little information on the subject but it is impracticable to attempt to provide for all differences in value. We know in a general way that irrigated dry crops are less valuable than wet crops, and all therefore that can be done is to make a more or less arbitrary reduction from the water-rate that is leviable for irrigating a wet crop in dry land. These are, I understand, the general principles that have guided Government in sanctioning the differential water-rate system in Kurnool. No doubt the system is on trial and the Government would be glad of any facts that would throw light on the way in which it works, and the practical advantages and disadvantages attending it. It is a new departure, and on the experience gained in Kurnool will no doubt largely depend the decision whether the system is to be introduced in other districts.

The Hon'ble Mr. Krishnan Nayar has referred to one subject which comes in the province of the Settlement department. His request was that the Government should be careful to exempt ryots' improvements from anything in the nature of assessment. He alluded to the fact that the Government has pledged itself never to assess those improvements and referring to the case of Malabar he contended that that pledge had not really been carried out. Again he used the case of Malabar as a means of pressing the principle as regards the districts under resettlement. The settlement of Malabar is totally different from the resettlements now in force. The Malabar settlement was an initial settlement and in an initial settlement you will have to assess the land as you find it. To attempt to carry out to the letter the principle of exempting ryots' improvements would be impossible. That would mean that you would have to assess the land in the condition in which it was before cultivation commenced at all, that is, as a jungle, hill or a rock or whatever it might be. The case is of course different with a resettlement. Here, it is merely a case of altering the Government assessment to suit the altered conditions. It is an easy matter therefore to give effect to the policy of the Government to exempt ryots' improvements from assessment. I can assure the Honourable Members that in the Settlement department and the Government there is an absolutely genuine desire to the utmost possible extent to avoid doing anything that will impose any assessment or taxation on these improvements.

I think I have answered the remarks that fell from the first four or five speakers including all those who were good enough to communicate the subjects on which they intended to address the Council. Under the rules of the Council Official Members are entitled to receive notice of the subjects on which members intend to speak, or at any

rate if such notice is not given, the Non-official Members are not entitled to expect an answer to their remarks. Now, Sir, I don't intend to ask for a penalty against either the Hon'ble Members Mr. Sivaswami Aiyar, Sir V. C. Desikachariyar or the Hon'ble Muhammad Raza Khan because my remarks against their names are like the chapter on snakes in Ireland—blank. But the array of figures marshalled by the Hon'ble Mr. Narasimheswara Sarma are too appalling for me to venture to deal with them extempore and therefore in his case one feels inclined to appeal to the umpire and claim a fault. I shall only glance at two matters that he mentioned. His request that the introduction of resettlement into Nellore and other districts should be suspended is one for the decision of Government, while I hardly followed his complaint as to the largeness of the water-rate charged in the case of inam lands. If he contests the legality of the Government's action then obviously the answer is that the decision must rest with the Civil Court. But I rather understood him to plead for what is known in trading circles as reduction on taking a quantity. I am afraid that this is a principle which has never been admitted even inside what are called the quasi-trading departments of Government and certainly not in regard to the income of the Land Revenue department.

3-10 P.M.

The Hon'ble Mr. C. J. WEIR:—Your Excellency, I wish to offer a very few remarks as regards the comments that were made on the administration of the Forest department. Only very few members have alluded to the matter. The Hon'ble Mr. Srinivasa Rao made a proposal yesterday that there should be, in each village, village pasture land reserved for growing pasture for the use of the villagers, the village pasture lands being in charge of the Forest department. I presume that the Honourable Member is already aware that there are in almost every village what are called village grazing grounds. These are communal or poramboke as they are called and all the villagers have equal rights or privileges in them. I do not suppose that the Honourable Member suggests that the Forest department should attempt to control those lands, because any attempt at such control would cause much dissatisfaction without probably doing any good. At one time there was an idea that there should be village forests with free fuel, timber and grazing; and the idea as regards these forests was that they should be under the control of the villagers themselves and not of the department. But the Madras Government in the year 1890 came to the conclusion that all ideas of village forests should be abandoned and that the supply of fuel, fodder and timber should be under the control of Government. At the same time the Government emphasised the importance of the Forest department supplying grazing—it was one of the important duties of the department to supply grazing to villagers. That has always been the rule of the department laid down as far back as 1883 by Sir Dietrich Brandis and in 1890 by the Madras Government and ever since it has been the guiding policy of the department. To supply good grazing is one of the primary duties of the department, but it must be regulated. It is quite certain that if grazing is not regulated other interests will suffer immensely. In the interests of the villagers themselves and the interests of cattle we must prevent over-grazing. That is one of the greatest complaints that the ryots make, viz., over-grazing in the grazing areas—that too many cattle are admitted. But in spite of the necessity for regulating grazing areas, I must say that most of our forests are open to grazing. Last year 87 per cent. of our reserve forests were open to grazing. I quite agree with the Hon'ble Mr. Srinivasa Rao that it would be useful for the department, in fact it would be the duty of the department, to try to improve the quality of grazing and this duty is not being lost sight of. Perhaps there should be a greater system in the way of opening blocks for grazing and growing grass in the earlier portion of the rainy season so that it may not be trodden and eaten up before it has grown in size. I lately visited Nellore, which is one of the grazing districts, made enquiries on the spot and interviewed a great number of ryots; and I am submitting proposals to Government, the main object of which is the improvement of the quality of grazing. I think I may mention in this connection that there is a proposal of the Forest department to institute a system of bringing hay from reserved forests and of selling it to ryots. Under the present system, a great deal of valuable grass is lost, it withers and dies: and it is not only lost and thus wasted, but it is a nuisance, it facilitates jungle fires more than anything else. We hope to cut this grass in the forests, press it in hand-presses and send it from the forests to convenient centres for sale. I am not sanguine that the ryots will at once take to the purchase of this grass on a large scale. But I believe

MADRAS ... OFFI

that in course of time, if we succeed in making good hay—and we have succeeded in some districts in making excellent hay—the ryots will buy it. It will save them a great deal of annoyance; it will save them the worry of getting permits and prevent them from running the risk of their cattle being destroyed by wild beasts; they will be saved from the "harassment of the forest subordinates," about which we hear so much. We also propose to accumulate large stocks as a reserve for years of famine and scarcity, when we shall be able to import them to districts which are affected. As regards the remarks of the Hon'ble Mr. Sarma this morning, as far as I can gather from him, he asks us to give free grazing, free green manure, free fuel.

The Hon'ble B. NARASIMHESWARA SARMA :—I did not demand that.

The Hon'ble Mr. C. J. WEIR :—As regards free grazing the question was mooted last year. I then stated that the ryots had a great deal of free grazing area at their disposal and in times of scarcity and distress the whole of our reserves would be thrown open to this grazing. I do not see how the complaint could be natural or real about free grazing not being large. The rates, he admits, are low. Our full rates are three annas for a cow and one anna six pies per sheep or goat. Those are the full ordinary rates. There are special rates in a few parts of Vizagapatam. I think these rates are excessively low and hardly act as a hardship on poor ryots. The Honourable Member quoted some figures to show what an unduly large revenue is derived from grazing fees in Madras as compared with the other parts of India. As the Hon'ble Mr. Atkinson said, I am rather appalled at these figures. There has been such short notice that it is not possible for me to give reasons for it or to explain it. But there is no doubt that it is quite true that we do derive a larger revenue from grazing than in other parts of India. I might hazard a speculation that this is because the forests from which we derive our revenue here belong to Government while in the rest of India they are to a great extent proprietary forests. It is pointed out in the Moral and Material Progress of India, that we had to turn our attention to a large number of scrub jungles and poor forests, principally with the object of finding grazing and fuel required by the ryots. That I think is the answer, although I hazard it.

3-20 P.M.

The Hon'ble Mr. J. TWIGG :—Your Excellency, it appeared at first as if the Separate Revenue department was going to escape criticism altogether, for, until quite the close of yesterday's proceedings, nothing had been heard on the subject except congratulations on the reduction of the salt tax. But in the last few sentences of his speech, the Hon'ble Mr. M. Krishnan Nayar expressed, incidentally, his belief that the excise figures of the Financial Statement proved an increase of drunkenness. The remark perhaps scarcely called for a reply, especially if I was right in understanding the Honourable Member to say or to imply that he proposed to adhere to that opinion in spite of everything that had been said, or that might be said on the subject. But to-day other Honourable Members have taken the same point, and I may perhaps be allowed to say a word by way of reassuring them. As regards country spirits, it is perfectly true that there has been a large increase this year compared with last year, but that year, it will be remembered, was a very bad year and there was a heavy fall in consumption. I have not figures for the complete year available, but comparing the consumption of the first ten months of 1906–1907 with that of the corresponding period two years ago—of 1904–1905,—there has been a net increase which, divided between the two years, gives an annual increase of about 4 per cent. This is considerably less than the rate of increase in 1904–1905, and very much less indeed than the rate of increase in the year before that and preceding years. I take this decreasing rate to indicate that the preventive work of the department has got through the heaviest part of the work of suppressing illicit practices, and that the increase in consumption due to the substitution of licit for illicit liquor will continue to be a decreasing quantity in future, although it is still considerable. Making allowance for this item, and also for the increase of population, I do not think that there is any cause for alarm in the figures just given. As regards toddy, the measure of consumption is given by the number of trees tapped for fermented toddy. For a series of years the tree-tax remained the same, and during these years there has been a constant increase in the number of trees tapped for fermented toddy, that is in consumption, but the rate of increase has not been nearly so great as in the case of country spirits. The reason for this is, I think, that illicit practices are more widespread and difficult to deal with in the case of toddy than in the case of country

spirits, and that it takes longer for the efforts of the preventive department to tell. In October last, the tree-tax was raised in thirteen districts. The result has been a set-back in the number of trees tapped. For the whole Presidency, the number of trees tapped for the last half-year of 1906–1907 shows a net decrease of about 2 per cent. on the number in the corresponding half-year of the year before. I do not lay stress on this point, because I am afraid that a good deal of this decrease represents consumption which has only gone underneath, out of sight, for the time, and I look forward confidently to seeing that decrease made good in the near future and followed by a considerable increase. For I am convinced that illicit practices are so prevalent, that there is room for a very large increase in the number of trees tapped without necessarily increasing the aggregate consumption by a single gallon. Under other circumstances, I should be inclined to say something about the idea, which some Honourable Members seem to have, that enough has not been done to restrict consumption, especially by way of reducing the number of shops, for I do not think that people, as a rule, realise the limitations there are to action in this direction. But as Your Excellency has stated, the question of the number and location of shops is one, among many other things, that is about to receive careful attention in connection with the report of the Excise Committee, and I will therefore say no more about it. Turning to other matters, the Hon'ble Sir V. C. Desikachariyar pointed to the fact that there is only one native officer in the list of Assistant Commissioners in the Salt department and drew the conclusion from it, that the higher ranks of the service were practically closed to Indians. But I do not admit that at all. Any native officer who shows himself capable and competent will have his chance. The only other matter that I need deal with is the income-tax. The Hon'ble Mr. Sarma, who seems to revel in figures, is uneasy at the rate of increase in income-tax receipts and urges that it is higher than can be accounted for by the expansion of trade. He implies that the present assessments are unduly heavy and compares the rate of increase in this Presidency with that in other provinces. I do not think that any safe conclusions can be drawn from a comparison of our figures with those of other provinces, although it is interesting to note differences and trace out the causes. If the Honourable Member had given notice, I might have been able to supply some information in the way of accounting for the differences. As it is, I can only mention some of the obvious points that occur to me. Taking the Madras figures for 1902–1903 and comparing them with those of 1886–87, it is obvious that, if the former figure of 22 lakhs is correct, the figure for 1886–87, namely 8½ lakhs, cannot be correct. Either the later figures are too high, or the earlier figures are too low. I have no doubt that the latter is the case. Here for once a comparison with another province is useful. Taking Bombay, the receipts for 1902–1903 amounted to nearly 23½ lakhs; while in the case of Madras, they amounted to a little over 22 lakhs. That shows that there is not very much wrong in the present figures. But in regard to 1886–87, Madras shows 8½ lakhs only as against 19½ lakhs in Bombay. Whether it was that Bombay had some machinery ready to hand in 1886–87 which enabled the department to get the full assessments quicker, or whether it was that a larger proportion of the receipts came from large firms (which are more easily assessed) than is the case in Madras I do not know. But it is clear that, in the initial stages, people in Madras were under-assessed. Turning to the yearly increase in receipts of late years which is fairly steady and has been anticipated in the budget, it cannot be denied that there has been an expansion of business, but a considerable portion of the increase is due to improvement in administration. There is a constant tendency towards more accurate and careful enquiry. New assessees are discovered who have escaped assessment, and unsuspected sources of income are brought to light. I do not claim that the administration is perfect; but we do our best. It is a most difficult matter to fix assessments correctly, and most of the difficulty arises from the fact that assessees, as a rule, do not give our officers the assistance they should in their endeavours to ascertain their incomes correctly.

The Hon'ble Mr. T. T. Logan:—Your Excellency, the new Grant-in-Aid Code and the Educational rules have certainly come in for their fair share of criticism and on some of those points of criticism I should like to say a few words.

3–30 P.M.

The Hon'ble Mr. Sivaswami Aiyar suggests that the elementary curriculum should be made more elastic and should be framed with reference to the requirements

of the locality in which the school is situated. This I may say is also the opinion of the department and schemes of studies have already been drawn up with due regard to elasticity and adaptability to local requirements. These schemes will be published shortly.

Many instances have been brought to my notice not only by inspecting officers but also by managers of secondary schools of the unfitness of boys coming from the fourth standards of elementary schools to cope with the work required of them in the first forms of secondary schools. About five years ago I held a conference at Tellicherry the district of the Hon'ble Mr. Krishnan Nayar, of those interested in education, such as managers and teachers of schools and inspecting officers, and this fact was made the subject of discussion and it was resolved that in order to establish secondary education on a sounder basis a preparatory class should be instituted between the fourth standard of an elementary school and the first form of a secondary school. This is exactly what has been done and it is a great mistake to imagine that a boy marks time for a year by going from the fourth standard of an elementary school to the fourth class of a secondary school. This misapprehension on the part of the public is due perhaps to the same name being given to the two classes. With reference to transfers from the higher standards of elementary schools, it was anticipated that the curriculum in these schools would be so different from that in secondary schools that a transfer would be almost impossible, as in the one case the curriculum would differ with the locality whereas in the other case it would be an invariable scheme as the basis of University education.

The Hon'ble Mr. Krishnan Nayar fears that the strict application of the rules of the Grant-in-Aid Code to secondary schools will result in the closing of a great number of them since very few have endowments of any kind. Formerly many managers were content to carry on their schools with the income from fees and the grant they got from Government and saw no necessity of supplementing this from their own funds in order to increase the efficiency of the school; so in order to increase the expenditure and thereby the efficiency of the schools, it seemed desirable that Government grant should be regarded as a supplement to, rather than a substitute for, the expenditure from the managers' funds. I have reason to believe that these rules have stimulated the managers to try and set their house in order and to enlist the practical sympathy of the public.

It may be hoped that in the course of time that state of things will be attained in this Presidency which is described as already existing in other provinces of India in the Government of India's Resolution of 1904 when the provision and maintenance of a secondary school will be common objects of liberality among all the sections of the community.

The Hon'ble Mr. Krishnan Nayar takes objection to rules 23, 28, 29 and 47. Rules 23 and 28 are attempts to supply schools with an adequate staff of better qualified men and thereby to effect a general and marked improvement in secondary education. I hardly think, therefore, that these should be characterized as a retrograde step. Finding that the demand for qualified teachers was greater than the supply, I issued a circular so modifying the rules as to make compliance therewith possible. In the course of time the demands will be able to be met by the supply of teachers possessing the qualifications laid down in rule 23. Rule 29 limits the strength of a class to 40. Here again is a distinct attempt to render efficient teaching possible. If the individual attention, which is generally considered to be of the very greatest importance in teaching young boys, is to be at all effective, I think you will agree that some limit should be prescribed as to the number in each class.

The Hon'ble Mr. Krishnan Nayar also takes objection to the "grouping system". It was brought to my notice that a strict enforcement of rule 28 would bring about the closure of many of the existing lower secondary schools, that is, schools with the third form as the highest. In order to avoid this I issued a circular containing instructions as to the details of the "system of grouping" referred to by the Hon'ble Mr. Krishnan Nayar. I will read a couple of paragraphs from this circular which will, I think, explain the scheme:—

"Some of the advantages expected from the employment of graduate headmasters in incomplete schools may be obtained by the grouping of such schools around a central complete school, the headmaster of which will exercise effective supervision over the schools of the group. This supervision will include superintendence of

promotions and periodical examinations, guidance in the framing of courses of instruction in each subject and for each form, in the choice of books for the library and for class use, and of furniture and apparatus, in framing rules for discipline and attendance, and in such other respects as further experience may suggest.

"It is not necessary that all the schools in a group should be under the same management, but each member of the group should be easily accessible from the central school. It is further desirable that in the case of an incomplete school the central school selected should be that to which the bulk of the pupils proceed to continue their education, but this should not be interpreted so as to interfere with the liberty of the parents to send their children to any complete school which they may select."

I am glad to be able to say that I have been given to understand by inspecting officers that the system promises to work well and is giving satisfaction.

As to the increase in the salaries of teachers, I may point out that on the 31st March 1906 we had in all 30,330 elementary teachers, 4,577 in Board schools, 18,852 in non-Mission schools and 7,401 in Mission schools. The total cost of adding Re. 1 to the salary of each teacher would amount to 4 lakhs nearly. As a matter of fact we have already made a move in this direction and raised the salaries of the Board school teachers. The minimum salary of a Board elementary school teacher is now Rs. 8 and that of a teacher in Government girls' schools, Rs. 10. Formerly the salaries were as low as Rs. 5, 6 and 7.

With reference to the training of pandits we have not got the people who could train them. We want men who have better knowledge of their own vernaculars before they can presume to train people in their own vernaculars. Provident funds are next suggested. This is a big question and is now under the consideration of the department.

The Hon'ble Mr. Vasudeva Raja pleads for a High school for caste girls, which could eventually be developed into a college. There is in Egmore the Presidency Training School for Mistresses. In the three upper secondary classes the aggregate strength is 10—6 Native Christians, 3 non-Brahman Caste Hindus and 1 Brahman. These girls are not taught by teachers under training, as the Honourable Member seems to think, but by the regular staff. It was thought that the unpopularity of this institution might be due to its position. In 1903 Miss Carr, the then Inspectress of the Schools, was consulted in the matter and she reported that the locality had nothing to do with the small attendance of caste girls, but that this was attributable to the fact that Hindu girls were not allowed by their parents to continue at school after reaching the age of 10 or 11 years. These social and religious restrictions of the Hindus, I believe, still remain and I agree with Miss Carr in thinking that no very great improvement in the attendance of caste girls would be brought about by the transfer of the school to Triplicane or some such central position. I should like to say that these new rules and the code are, as my friend the Hon'ble Mr. Guruswami Aiyar said, instituted for the purpose of securing efficiency. It is this efficiency that we are striving after and these rules form the standard of efficiency which we have set up before us and which we eventually hope to attain. I am sure that the department is prepared to interpret the rules as liberally and sympathetically as possible, and I think that they should not receive the wholesale condemnation which they have received because they have not been given a fair trial. Give them a fair trial and if they do not work well it will then be time to condemn them.

The Hon'ble Mr. M. Hammick:—Your Excellency, I have been saved much effort in trying to reply to the criticisms of Honourable Members to-day by the speeches that have already been made by the Honourable Members. It only remains for me to thank the Honourable Members, who have laid before us to-day their criticisms, and to assure them that their criticisms, although they may not be answered at this table, come under consideration perpetually during the year as these debates are constantly referred to by Government. Such a speech as was made by the Honourable Member from Vizagapatam, it is impossible to answer. I have had one or two figures supplied to me which seem to show that he has been under a misconception as regards some of his figures. I will not trouble the Council with criticising these figures, as I have not had time to verify the figures presented to me. I need not add to the Hon'ble Mr. Atkinson's criticisms on what the Honourable Member

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from Kurnool, Mr. K. Srinivasa Rao, remarked about the water-rate except to assure him that this question of water-rate has, during the past year, been under the most careful consideration of Government, and that they have arrived at no final conclusion on the subject. But it is obvious that the system which was in force as stated by the Hon'ble Mr. Atkinson up to 1873 and under which the water-rate is the difference between rates on wet land and dry land, it is obvious I say that a water-rate of that kind if it can be levied without undue trouble is a fairer one to the ryots than a fixed water-rate of Rs. 4 or Rs. 5. That the land which is assessed As. 4 and which is therefore probably very poor should, when given water, pay Rs. 3 as wet rate, seems fairer than that it should pay Rs. 5 in addition to the As. 4 dry rate. As the Hon'ble Mr. Atkinson stated poorer lands do not get the same benefit as the richer and higher class of land. It is only fair that they should pay less water-rate than the higher lands. I can only assure the Honourable Member that, if he will enquire into the matter in his district, and really satisfy himself on the working of the system, and if he will then let us have his criticisms, they will be most carefully considered. As regards railways he applied to us for a liberal grant for railways in Kurnool. But that is out of our power. Any grant that the Government could give would not materially assist the progress of railways in Kurnool. Kurnool has benefited in one way in that the Government of India have taken up the line from Dhone to Kurnool, which was originally intended to be paid partly out of the cess now being levied. We hope that eventually the cess will be applied to a line in some other part of the district. As regards the question of appointing non-official gentlemen as Vice-Presidents of Local Boards, I do not think that the Government have ever refused to appoint a non-official Vice-President, if one capable of doing the work came forward, and the Collector certified that he had the time, the talent and the position in the district to make him suitable for the post. If a suitable gentleman comes forward, the Government will be glad to appoint him as a non-official Chairman of a Local Board. As regards municipal grants, I think that this Government have always pressed on the Government of India, ever since I have had anything to do with the Government, the advisability of assisting municipalities to carry out drainage and water schemes. We are always ready to give what we can, but in most cases there has been much difficulty and delay in regard to the question of finding a suitable source of water-supply and the question of planning out a suitable system of drainage. In most of our Municipalities, that work has been one of great difficulty. To take one instance, in Salem, the Municipality has been trying with the assistance of every kind of expert to discover a proper and suitable source of water-supply which would be sufficient for the needs of the town, and up to date they have made very little progress. As soon as a proper scheme is worked out, I have no doubt that the Government will be very glad to assist them. The Hon'ble Mr. Weir has replied to the criticisms of the Honourable Members as regards forest matters. As to the contrast which the Hon'ble Mr. Narasimheswara Sarma has brought forward as regards the connection between villages and forests down in Madras as compared with the other parts of India, any person who has travelled in Northern India will at once see the reason for that difference. In Northern India, except in Central India, certainly over great tracts of Northern India, forests are confined to the great hill ranges. They do not intermingle, as they do down here, with the local cultivation, as we know, from one end of the Presidency to the other; we are happily situated in having none of those huge plain districts as they have in Northern India, the North-West Provinces and the Punjab. Our districts are happier and much more beautiful than any district in Northern India. One reason is, that we have forests close up to the village boundary, which adds to the comforts of the villagers; but this makes the work of the Forest department infinitely more difficult than it is elsewhere. That is one reason why in this Presidency we have always insisted and shall insist that the Forest Department shall be most closely connected with the Board of Revenue as interested in the agricultural progress of the people. As to Revenue Inspectors I think the Hon'ble Mr. Srinivasa Rao said that these Inspectors should draw travelling allowances and should each be given a clerk. As regards the travelling allowance, their pay was raised not long ago, and it was so fixed that it must be considered sufficient to allow the Revenue Inspector to convey himself about the area over which he has jurisdiction. Possibly with the rise in prices he now feels the pinch, which he did not feel before. If the question of raising his pay should be taken into consideration, I think it must be in connection with the general question of raising the pay of the whole of our subordinates. I may say that he is better off than a good many others,

because he is a chosen man with prospects in front of him if he does his work satisfactorily. I entirely differ from the Honourable Member as to giving him a clerk. One reason is that we wish to get from his reports what he himself thinks and what he has seen not what his clerk thinks or sees. The Collectors wish to get this information in the shortest possible form. I am sure that if you give him a clerk, he will be overburdened, as we are in most of our offices with too much of writing. I also think that the village Reddi will not be pleased to see the Revenue Inspector if, instead of coming alone, he is accompanied by a clerk with the records. There is no chance of the Government undertaking to supply a clerk to Revenue Inspectors. What I have said fairly takes note of most of the subjects that have been raised to-day and yesterday and that have not been answered by the Honourable Members. As to the question of resettlement, the Hon'ble Mr. K. R. Guruswami Aiyar asked what the system of the new settlement was going to be, and stated that nothing had been said about it. The Settlement Manual can be had by anybody who chooses to pay for it, and from it we know what the system of settlement pursued in this Presidency is. As regards the settlement in Tinnevelly in which the Honourable Member is interested, it has been discussed at great length and what the results are we do not know, as the Madras Government have not yet had any scheme presented to them. But when it is presented, I have no doubt that the Government will consider all the objections and consider every point that may be raised in connection with that settlement. The history of the previous resettlements that we have had during the past three or four years shows that the question before the Government has chiefly been as to how to reduce the increase which it might justly claim according to the rise in prices. We are never able to put on the full increase, because the increase has been so large. That will probably be the case in the resettlements which are ahead of us. Honourable Members have spoken highly of the work of the co-operative societies. I am sure that we are all indebted to the officer who is in charge of these associations at present. What I am particularly anxious to emphasise is that the Government do not wish to move faster than the people would wish to go in this matter. I am very glad to note that Mr. P. Rajagopalachariyar is of that opinion himself. He is ready to start these associations where people ask for them, but he has no intention or desire to force them on the people if they do not want them. The result has been so far most hopeful, and I think that among all our small beginnings this is one which has the greatest promise. I think that there is nothing more that I need reply to. I can only again thank the Honourable Members for the kind criticisms which they had made, and which they may be sure will be considered most carefully.

The Hon'ble Mr. G. S. FORBES, in reply to the observations of the Honourable Members, said:—In the first place I should like to associate myself with what has fallen from the Hon'ble Mr. Hammick as to the value of the criticisms which the Honourable Members make in this Council on the occasion of the Budget debate. Whether the Members of the Government agree with them or not, everything that is said at this Council table is carefully considered and helps to guide the decision of the Government during the year. So far as this particular budget is concerned, I do not know that it has been exposed to very much criticism. The remarks of Honourable Members have wandered more or less into general subjects. It falls upon me unfortunately to say what cannot be done for financial reasons, not to explain those parts of the machinery which run easily and do great benefit to the people. On this occasion, as on previous occasions, the general tenor of the criticisms or recommendations of Honourable Members has run more or less in one direction. They recommend that additional pay should be given here, there and everywhere; that new establishments should be started and, at the same time, that the income under every head of revenue, in which there appears to be an increase, should be cut down. In the current budget we have provided, as I mentioned in my opening speech, for large increases of pay for several classes of the establishments both higher and subordinate. Now further demands have been made in this Council on the Government for expenditure on primary education and on secondary schools; it has been suggested that all clerical establishments should be better paid; that Sub-Magistrates should have their salaries increased; and that an addition should be made to the staff of the Munsifs and Sub-Judges, and I am not sure if it was not also suggested that they should be better paid; and further that the hospital assistants should have their pay gradually improved. But no serious proposals have been made as to how all this increase in

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expenditure should be met. I think one Honourable Member made some general remarks about it, but they were not of a definite and precise character. Some heads of income were attacked without, apparently, so far as I could see, any particular reason. For instance, it was suggested that the registration receipts should be lowered. As far as I know, no hardship has ever been complained of with reference to registration fees paid by those who register documents. One would think that a person who registers his title to land is a person who has some means and property. He does not complain that the fees are heavy. At the same time the Government have always said that it is not a head upon which they lay particular stress as a source of revenue. If they did so, they might have increased the fees or even doubled them, but instead of doing so, they keep them at a moderate level which has never been complained of, so far as I know. Every year a large proportion of the receipts is expended in starting new registration offices all over the Presidency. One of the few Heads of departments who gets his estimates for new offices passed without the slightest difficulty is the Inspector-General of Registration. Besides the lowering of the registration fees, the imposition of restrictions on excise was also suggested, which would affect the receipts. So, as regards the land revenue, the natural growth of this revenue was also to be forgotten and forgiven, if not for ever, at any rate for the present. If all these different schemes which Honourable Members advocate are to be carried out, especially those affecting primary education and the reform of the police, it is absolutely necessary that there should be further funds to meet the charges. Both in 1905-1906 and in 1906-1907 our current revenue has practically covered the expenditure, but this year we have trenched to some extent upon the balance. As I said, however, in presenting the Financial Statement, the principle of providing for an increase in expenditure, not from receipts, but from large surpluses, is a dangerous thing. It is bad finance to start an establishment which entails future expenditure, unless you see your way ahead that revenue is coming in to cover it.

With reference to the head of Law and Justice, the Hon'ble Mr. Sarma has referred to the overburdening of District Munsifs and Sub-Judges. I think that it will probably be admitted that the District Munsifs have certainly as much work as, if not more than, they can overtake. As I said last year, the High Court has not made a representation on the subject to the Government, that the files are larger than the District Munsifs and Sub-Judges should be able to deal with. If the High Court should send up proposals in this matter, I am certain that they will receive the earnest consideration of the Government.

Then as to the question of Sub-Magistrates, I said in my opening statement that the Government were prepared this year to consider most carefully and sympathetically the question of increasing their pay. I think it has been admitted generally that the pay of Sub-Magistrates is inadequate. Connected with that question is the recruitment for the Provincial Civil Service, taking the Sub-Magistrates to be those who are on the way to the Provincial Civil Service. Statements were made as to the corruption which prevails among Sub-Magistrates. I hope that the state of things is not quite so bad all over the Presidency as in some of the districts referred to ; but still it is no use hiding the fact that corruption does largely prevail. Whether the raising of their pay will have any material effect is a matter which may be doubted. That was one remedy suggested. Another remedy suggested was to improve the method of recruitment. Sub-Magistrates are now drawn from the upper officials in Collectors' offices, or from Revenue Inspectors, who are all persons who have risen from the lowest clerical posts. The subject has had some consideration from the Government during the past year. Personally for myself and without committing the Government to what I say, I think it is for consideration whether there might not be some scheme of admitting into the Collectorates clerks in an upper rank, instead of placing them all at the bottom of the list to begin with. At any rate, in that way they would not be exposed to the temptations with which they are assailed when they draw Rs. 15, Rs. 20, Rs. 25 or Rs. 30. The question would be where the line should be drawn, whether the line should be drawn at Rs. 50 or Rs. 60 or higher. Such a scheme would involve the separation of the clerical establishment into two branches, very much as it is in the public offices in England. There would be a lower grade of clerks who would never rise to be more than clerks, and be regarded simply as clerks ; and have no more education demanded of them than what is required for the discharge of more or less routine clerical duties. Then the upper grade would be recruited from those who entered the office on Rs. 50 or Rs. 60 or something of that sort and whose prospects

should lie in the direction of Sub-Magistracies and Tahsildaris. In my opinion, to recruit Sub-Magistrates direct and put them to discharge magisterial duties straight off would not be a sound policy. If a Sub-Magistrate were to be all his life a third-class Sub-Magistrate, there might be less objection to it; but so long as he has the prospect, the reasonable prospect, of being advanced to be a Tahsildar, or a Deputy Magistrate and Collector, and even higher, to make him efficient in the discharge of these duties, he ought to learn the details of revenue and district administration in a Collectorate; and, therefore, if that principle be accepted, he should commence as an upper subordinate in a Collector's office, where he would learn these things, see how work is done, and also come under the influence of the European Magistrates, and the Deputy Magistrates and acquire from them the tone, as it were, of British justice, and the knowledge of how justice should be done. It is not merely a knowledge of law that is required, but a capacity for understanding the principles of justice. This scheme must be regarded as only in the air; and whether anything of that sort would improve the recruitment of Sub-Magistrates and of the Provincial Service generally, is a matter which will receive careful consideration. Objection was taken by the Hon'ble Mr. Sivaswami Aiyar to the interference of the District Magistrates. If the Honourable Member is correct in his estimate of the undesirable state of things in the Sub-Magistrate's work, it only proves that the interference of the District Magistrates is more than ever required. The District Magistrate must be the person to keep the administration of justice straight within his district on British lines; and to this end it is absolutely necessary that the calendars or disposals of cases by his Sub-Magistrates should come to him to enable him to see in what directions they go wrong. The soundness of the administration of justice in a district depends upon the District Magistrate and, if he is careless or casual, he will find that justice is not administered as it ought to be. The District Magistrate is the person appointed for that purpose, and not the Sessions Judge, whose duties are entirely different.

Passing on from that subject, there were some remarks made about jails by one Honourable Member who deprecated, I think, the extension of private manufactures in jails. It is a curious commentary on that, that, at the moment the Honourable Member was speaking, a telegram was received from the Chairman of a public meeting in his own district, entreating Government to allow printing presses to be continued in the jail, and suggesting that any orders to the contrary were entirely undesirable. I think the Government will not on this occasion listen to the people in public meeting assembled. The Honourable Member's ideas are entirely those of the Government, that jails should not be allowed to work for the community at large in competition with private enterprise.

On the subject of education, the Hon'ble Mr. Logan, the Director, has in the remarks which he has just made explained away a great many of the misapprehensions which apparently were entertained by certain Honourable Members with regard to the working of the Grant-in-Aid Code and the Educational Rules. As to free primary education, the demand for that will entail, if it is to be carried out everywhere, as one Honourable Member said it must be, the provision of thousands of school buildings in villages now unsupplied and the provision of masters. That primary education should be free is certainly admitted, but that it should be extended everywhere, all at once, is quite impracticable. Endeavours have been made out of the grant of 6 lakhs to provide school buildings where they have not been provided. Some complaint has been made that Dr. Bourne has been too enthusiastic in putting down school buildings where not wanted. If blame rests anywhere in the matter it is not with Dr. Bourne, but with Taluk Boards. As far as I understand, no schools were established at places which Taluk Boards had not approved! As to girls' schools, several complaints have been made that they are not treated so well under the present rules as they were under the former Code. Girls' schools are not specifically mentioned in the Code, because it was understood that they would ordinarily get the advantage of the 25 per cent. enhancement which the Code allows in special circumstances. If there are bodies who can support girls' schools without coming to Government, there seems no reason why the Government should place their schools on better terms than any other ordinary school. But there is no desire on the part of the Government or the Director to do anything which is likely to affect the popularity or usefulness of girls' schools, and if there are any specific proposals to place these schools on a better footing in the Code, I may say they will be considered sympathetically.

Before I go on to the general question of the principles of the Code, I may refer to the subject of the Salem Municipal College which one Honourable Member said was very badly treated, because their profits had been diverted by Government to other purposes. There seems to be some misconception about the facts of the case. Even if the Salem College had made legitimate profits in any particular year, I do not think that it has ever been the rule that the College profits should be ear-marked for the College. If so, it would entail the consequence that the College should be self-supporting; and if there are profits in one year and loss in another year, the profits of one year would on this principle have to make good the loss in the other. The municipal receipts are not ear-marked in that way. But as matter of fact no such principle comes into the consideration of this particular case. What happened in the case of the Salem College was that for about five or six years it obtained from Government very large grants which it had not earned. Its so-called net profit from 1902–1903 up to 1905–1906 was practically made up of Provincial grants. In 1902–1903 it showed a net profit of Rs. 2,598, of which Rs. 2,500 were calmly drawn from the tax-payers as grant-in-aid. That was a grant-in-aid to which the College was not entitled. The same thing happened in the next four years. In all it had a net profit of Rs. 11,500 in these years which was substantially made up of what was drawn from the Government, that is, from the tax-payers. They were not entitled to draw that money from the tax-payers, which should have been used for other schools in other parts of the Presidency. Why that amount was given, if the College did not require it, I have not ascertained. At any rate, those are the facts of the case,—that the so-called net profit was made up of Provincial grants irregularly drawn. That money, going into the Municipal coffers, was properly used for plague and other municipal expenditure which the Municipality, in the state of its finances, could not meet without aid from Government.

Turning to the general principles of the Code, the attack that was made upon the Educational rules, especially in respect of their effect upon secondary education, the Hon'ble Mr. Logan has explained away certain misapprehensions that exist with reference to the actual operation of the rules. The Hon'ble Mr. Sivaswami Aiyar and the Hon'ble Mr. Krishnan Nayar pointed out three rules as practically destroying many of the present secondary schools—firstly, the requirement as to the qualification of teachers; secondly, the rule about transfers of pupils; and thirdly, the rule about guaranteed income. Now the principles underlying the new Code and rules are simply these: that secondary education, as it was being given, was entirely unsound and that it was turning out thousands of boys who were imperfectly educated, who went up to the University, insufficiently instructed, and who failed and added to the ranks of the discontented. In the year 1895–96 out of 4,600 boys that went up for the Matriculation Examination, 1,600 only passed, that is, 3,000 boys were turned away, or three-fourths of the whole number were thrown out into the world as unpassed matriculates. In 1905–1906, 9,000 boys went up, of whom 2,000 passed, that is, 7,000 were so turned back. In the opinion of the Government, these figures pointed to the fact that secondary education was inefficient and that something must be done, if it was to attain its proper ends; that it must be placed on a foundation which would secure adequate instruction. How that should be done was the question. Expert authorities and the head of the Department of Public Instruction, after a conference with persons interested in education in all its branches, and after long consultation with the Government, came to the conclusion that, to place secondary education on sound lines, could be done only by adhering to certain principles. Whether the new principles are the best possible may be questioned, something will always be said on the other side. But a scheme had to be drawn, and in the opinion of the Government the scheme that was devised is perfectly sound. That scheme rested on three principles—first, the separation of primary from secondary education; secondly, the provision of properly trained men able to impart the required instruction; and lastly, the remodelling of the course of instruction so as to lead, on sound lines, up to the higher education of the University. As things stood primary education and secondary education, at any rate in what were called lower secondary schools, were mixed up. There was neither sound vernacular education nor sound secondary education. The Government were bound to see that primary education had every chance. Primary education, so far as Government aid was concerned, should be imparted in the vernaculars, the language of the people. The whole of the literate people in this Presidency, that is, those who can read and write, is 6 per cent. of the

total population. That practically shows that the people do not require, and do not need, in the primary schools education in English. The primary education with which the State is concerned must be in the vernaculars, and it is not necessary that these lines should lead up to the University. Accordingly primary schools are, under the Code, based on these principles, and the curriculum has been laid down accordingly. The secondary education which should lead to the University must be based on a sound foundation of its own. As to the complaint regarding transfers, a boy who has been at a vernacular primary school cannot go from the top of the vernacular school into the sixth or seventh form of the secondary school, for, apart from the fact that the kind of teaching which is to be given in the new secondary schools will be on entirely different lines, it would do a great deal of harm, as the classes could be swamped by imperfectly educated boys, if they were allowed to come from the sixth or the seventh form of the primary school to the nominally corresponding form of the secondary school. This rule, to which much objection has been taken, was based on the fact that the course of secondary education has been so arranged as to begin from the fourth form. That is one of the main principles of the Code. As I said in my opening speech it is quite possible that several secondary schools will be closed. What is the harm if secondary schools are closed which are turning out boys who, on going up to the University to have their education tested, fail in thousands? Another point was as regards the question of guaranteed income. The object of that rule was to prevent Government from being burdened with pure adventure schools. Without such a restriction any person might open a school, call it a secondary school and simply trust to Government aid for the future; the rate-payers being then left to support the school without any substantial pecuniary backing on the part of the management itself. If the Government were able to take the whole burden of secondary education on its shoulders, it might be just and proper that the rule should be abrogated and that the Government should come forward and say, "We will support secondary education in the country so far as it is not supported by the fees." With the burden of primary education on its shoulders, the Government cannot possibly undertake such a charge. The Hon'ble Mr. Krishnan Nayar says the result will be the closing of the opportunities of secondary education to a great number of people who cannot send their boys to a distant school; but there is no place in the world where every boy can get secondary education at his own doors. That is practically what the Hon'ble Mr. Krishnan Nayar desires; that is his pious wish. If money were inexhaustible, and the world were different from what it is, it would be very well to say that every boy should have a secondary school opened at his own doors, and at the expense of the rate-payers. But the primary responsibility of the Government is only to provide Elementary education. At the same time, these rules do not, in my opinion, tend in any way to prejudice really sound secondary education. That is, there will be quite enough secondary schools to impart education to all boys who are really fit for secondary education. I will now pass on to the question of the University grant. The Hon'ble Mr. Sivaswami Aiyar said that a part of this grant ought to be given to second-grade colleges. As the Honourable Member knows, the amount of the University grant available for the improvement of colleges is very small, viz., Rs. 80,000 a year. The claims advanced already on behalf of the first-grade colleges are far in excess of the amount. In fact one college has sent in a claim for 1½ lakhs for itself. At the same time, if there is any possibility of helping second-grade colleges out of the grant, I may state that, so far as I am advised at present, and having regard to the fact that the second-grade colleges have in a way been recognised by the University, I see no reason to deny them participation in it to some extent. But I hope that the second-grade colleges will not rest any hopes upon any great assistance being given from the grant. As the Honourable Member knows, the amount of the grant is extremely limited and it is only given for a certain number of years.

With regard to the question of the guaranteed income—I am now going back for a moment to a subject to which I have already referred, that is, the requirement of a guaranteed income,—a few instances have been lately placed before the Government in which the managers of second-grade colleges or upper secondary schools which had been in receipt of an assured income from fees for years but had no separate guaranteed income, have in view of the new rules started funding a portion of their fees in order to form the required endowment. That is a sound policy, and there is no reason why this good example should not be followed.

I think one Honourable Member complained about the inactivity of Government in the matter of technical education. I am not sure on what lines he expects the Government to do more than what they are now doing. The great difficulty has been to find boys who are inclined to be technically educated. There are at present six Technical Scholarships for Upper Secondary schools. Last year there were only five applications from the whole of this Presidency and one scholarship lapsed and was given by the Director to some other object. Difficulty was also found, when a technical scholarship was offered in order to enable a student to go to Europe and study in a Technical Institute, in getting a candidate who was technically qualified.

With regard to grants to Municipalities, the Hon'ble Mr. Hammick has spoken on that subject. One Honourable Member said that Madura and Trichinopoly had not received grants. As a matter of fact, Madura was offered a large grant last year which it was not able to utilize. The Hon'ble Mr. Sarma complained similarly that the Northern Municipalities were not assisted, but I may point out that there is a provision made for grants to Berhampur and Bezwada. As I explained in my opening speech there is no force in the complaint that the Government have been ungenerous, for half the grants made last year were not utilized and have consequently lapsed.

The Hon'ble Mr. K. R. Guruswami Aiyar referred to the old question of the utilization of judicial receipts. Assuming for the moment his argument in regard to judicial receipts not being devoted to expenditure on jails—a point which I personally do not admit—assuming that the 10 lakhs for this Presidency or the 56 lakhs for India are not available for the purpose, then the funds required must be found somewhere, which means that they must be found by additional taxation or by reducing the expenditure under other heads of service, but there is not one head under which Honourable Members have shown or will admit that expenditure can be curtailed or that taxation can be increased.

The Hon'ble Sir V. C. Desikachariyar thanked the Government for the assistance given to the Corporation, and at the same time pointed out a very large number of services which they have not been able to undertake owing to want of funds. One question which has never been settled satisfactorily is, whether the present sources of income could not be made much more productive if worked properly.

I think the other questions raised by Honourable Members have been sufficiently dealt with; and I have nothing more to say except to thank Honourable Members for the patience with which they listened to the exposition of the Budget statement and for the generally sympathetic remarks that they have made in connection with the estimates.

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The Council was adjourned *sine die.*

H. D. TAYLOR,
Ag. Secretary to Government, Legislative Dept.

ANNEXURE.

MEMORANDUM TO ACCOMPANY THE FINANCIAL STATEMENT OF THE GOVERNMENT OF MADRAS FOR THE YEAR 1907–1908.

The transactions with which this memorandum deals are those which under the Provincial settlement have been placed under the control of this Government. Appendix A exhibits the actuals under Provincial funds for 1905–1906, the budget and revised estimates for 1906–1907 and the budget estimates for 1907–1908.

Unless otherwise stated, amounts are expressed throughout this memorandum in lakhs of rupees.

I. Accounts, 1905–1906.

A complete review of the transactions of the year has already been published in the Accountant-General's appropriation report recorded in the proceedings of Government, No. 141, Financial, dated the 28th February 1907, which have been placed on the Editors' Table.

The Provincial budget estimate for 1905–1906 contemplated a total current revenue of 407·62 exclusive of the opening balance and provided for an expenditure of 437·89. The actual receipts and charges amounted, however, to 417·55 and 415·35, respectively.

Supplemental assignments aggregating 9·11 from Imperial through the LAND REVENUE head and larger receipts from STAMPS and EXCISE account for the increase under revenue. As mentioned in the memorandum issued last year the following additional assignments were received from Imperial during the course of 1905–1906:—(*a*) 5·00 for tank restoration works; (*b*) 1·50 for the expansion of the Agricultural and Veterinary departments; (*c*) 1·05 for University and Collegiate education; (*d*) 1·42, representing the compensation to Provincial funds for the additional expenditure resulting from the reclassification of the minor heads comprised in the major head ASSIGNMENTS AND COMPENSATIONS; and (*e*) ·14, as compensation for additional charges involved in the provincialization of the cost of the outside audit establishment of the Accountant-General's office.

The special assignment of 5 for tank restoration works rendered practicable an additional outlay of about 2 on these works. It was not possible to utilise fully during the year the special grant for the agricultural department, but in addition to the outlay on this department shown under the head 26. SCIENTIFIC, ETC., DEPARTMENTS—EXPERIMENTAL CULTIVATION a sum of ·51 was transferred to the head 45. CIVIL WORKS in order to meet expenditure on buildings and works at experimental farms.

The total expenditure showed a lapse of about 29 on the original budget grant when increased by the special grants, but of this lapse 14 approximately are accounted for by the saving on the grant for famine relief and about 9 by the non-introduction of schemes of police reform for which the budget made provision. The remaining 6 of the lapse occurred mainly under the head 45. CIVIL WORKS owing to a large portion of the grants to municipalities for water-supply and drainage works having remained unutilized in the absence of sanctioned plans and estimates and to savings in the suspense accounts and establishment charges of the Public Works department.

II. Revised Estimate, 1906-1907.

The year 1906-1907 opened with a balance of 83·30 against 81·81 anticipated when the budget estimates were framed. To this amount has been added a sum of 4·79 representing the balance at the credit of the Ryotwari Village Service fund which merged in the Provincial balance on the abolition of that fund on the 1st April 1906. The total opening balance thus stood at 88·09.

In the budget for 1906-1907 the current revenue was estimated at 478·10 and the expenditure at 491·01, thus working to a deficit of 12·91 to be met out of the balance. The revised estimate shows an improvement in receipts of 13·09 and a decrease in expenditure of 14·99, thus converting the deficit of 12·91 as above estimated into a surplus of 15·17 and so bringing the expenditure of the year wholly within the current revenue.

The variations between the budget estimate and the revised estimate are explained in section III of this memorandum. The most important of these are noticed below.

REVENUE.—The increase occurs mainly under LAND REVENUE (8·14), STAMPS (1·50), EXCISE (3·00), and REGISTRATION (1·40).

Under LAND REVENUE—Ordinary, the arrear balance for collection at the commencement of the year proved to be higher than was anticipated, whilst under ADJUSTMENTS the budget estimate did not include the Imperial contributions of 5 for tank restoration works, of ·40 for European and Eurasian education and of ·12 on account of archæological expenditure, which were sanctioned after the commencement of the year.

The receipts under STAMPS, EXCISE and REGISTRATION show a progressive improvement, which under STAMPS is due to increase in litigation and monetary transactions, under EXCISE to the raising of the excise duty after the budget was framed and under REGISTRATION to the expansion of the operations of the department.

EXPENDITURE.—On the expenditure side, lapses in the budget grants are anticipated chiefly under POLICE (5·50), SCIENTIFIC, ETC., DEPARTMENTS (2·09), FAMINE RELIEF (3·00) and CIVIL WORKS (5·75).

It has not been practicable to introduce all the schemes of police reorganization, for which the budget provided 11·70, in sufficient time to admit of the lump assignments made for them being fully utilized; nor will the large provision made under SCIENTIFIC, ETC., DEPARTMENTS on account of agricultural and veterinary development and for experiments on weaving be fully spent; but transfers of about 1·50 and of ·25 have been made from the heads POLICE and SCIENTIFIC, ETC., DEPARTMENTS, respectively, to the head 45. CIVIL WORKS in order to provide allotments for new police buildings and for the buildings required in connection with the opening of new farms and the extension of the operations of the agricultural department. An improvement in the season has made the grant of 3 for expenditure on famine relief unnecessary.

The lapse under 45. CIVIL WORKS is due (*a*) to the transfer of the charges for the construction and repair of village chavadis to the head 3. LAND REVENUE as departmental expenditure on petty construction and repairs, (*b*) to lapses on the grants for the drainage scheme of Ootacamund, the water-supply of Nellore, the new central record office in Madras, and the central farm and teaching and research institute at Coimbatore and (*c*) to the non-utilisation of the grant (1·23) for constructing a bridge over the Kolab river in the Vizagapatam district.

An increase of ·55 is expected under 19-A. LAW AND JUSTICE—COURTS OF LAW chiefly owing to a rise in the charges for translation and printing in the High Court and to the absence on leave out of India of fewer District and Sessions Judges than contemplated in the budget, and of ·85 under LAW AND JUSTICE—JAILS in consequence of an increased prison population and higher prices of food-grains.

There is a nominal decrease of 7·49 under EDUCATION, but the lump provision of 6 for primary education and a sum of 1·25 for grants-in-aid of elementary schools which are now paid through local boards have been transferred to the head "ADJUSTING HEADS—Contributions from Provincial to Local".

Provincial funds are expected to close the year 1906–1907 with a balance of 103·26 against 68·90 anticipated in the budget.

III. Budget Estimate, 1907-1908.

The year 1907–1908 is expected to open with a balance of 103·26. The receipts are estimated at 489·81 and the expenditure at 505·53, leaving a closing balance of 87·54.

REFUNDS AND DRAWBACKS *—1.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts.		
				1905–1906.	1904–1905.	1903–1904.
EXPENDITURE—						
Land Revenue	·22	·17	·22	·30	·22	·18
Stamps	·58	·50	·55	·63	·55	·75
Excise	·05	·09	·05	·02	·04	·03
Assessed taxes	·05	·05	·06	·05	·06	·11
Forest	·04	·04	·04	·04	·04	·12
Registration	·04	·04	·04	·03	·03	·02
Total ..	·98	·89	·96	1·07	·94	1·21

* Drawbacks occur under Customs only and are wholly Imperial.

The amounts shown above represent the debits to Provincial funds of the expenditure under *Refunds* in proportion to the Provincial shares of the revenues under the respective heads in connection with which refunds are made. These shares have altered with the introduction, from the 1st April 1904, of the current Provincial settlement.

The charges are generally of a fluctuating character and are not subject to any departmental control.

The accounts for 1905–1906 under LAND REVENUE include the refund to Maharaja Sri Vikrama Deo of Jeypore of excess land revenue collected from him in previous years, while the charges under STAMPS were swelled by refunds consequent on the withdrawal from vendors of one-anna revenue adhesive stamps, with effect from the 1st October 1905.

ASSIGNMENTS AND COMPENSATIONS—2.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts.	
				1905–1906.	1904–1905.
EXPENDITURE—					
Inamdars and other Grantees	·08	·09	·12	·15	·07
Pensions in lieu of resumed lands	2·15	2·12	2·00	2·32	2·00
Malikana	2·80	2·29	2·78	2·57	2·82
Miscellaneous Land Revenue Compensations.	·05	·05	·05	·05	·06
Excise Compensations	·35	·28	·08	·04	·09
Total ..	5·43	4·83	5·03	5·13	5·04
Imperial share—Three-fourths ..	4·07	3·62	3·77	3·85	† 5·04
Provincial share—One-fourth	1·36	1·21	1·26	1·28	..

† Wholly Imperial.

This head which was formerly wholly Imperial has been a divided head since the 1st April 1905, the minor heads being treated as wholly Imperial, wholly Provincial, or divided between Imperial and Provincial, according to the classification of the corresponding heads of revenue.

The comparatively high figures in the accounts for 1905–1906 against "Inamdars and other Grantees" and "Pensions in lieu of resumed lands" were due to payments on account of commutations which were made for the first time in that year. Under "Excise Compensations" the revised estimate provides for three quarterly instalments and the budget estimate for 1907–1908 for four quarterly instalments of the amount payable to the Banganapalle State on account of the lease of the opium and abkári revenue of that State.

I. Land Revenue—3.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts. 1905–1906.	Accounts. 1904–1905.	Accounts. 1903–1904.
Shared.						
Revenue—						
Ordinary revenue	631·18	626·06	616·49	584·09	555·74	577·12
Sale-proceeds of waste lands and redemption of land-tax ..	·20	·25	·07	·19	·31	·18
Miscellaneous	1·25	1·25	·52	1·39	1·17	1·28
Total ..	632·63	627·56	617·08	585·67	557·22	578·58
Provincial share (one-fourth) ..	158·16	156·89	154·27	146·42	139·30	144·64
Adjustments	153·20	161·11	155·59	105·62	66·90	95·14
Total ..	311·36	318·00	309·86	252·04	206·20	239·78
Provincial.						
Expenditure—						
Charges of District Administration.	44·20	43·99	43·69	43·88	42·83	42·07
Survey and Settlement	10·44	9·29	9·97	9·48	9·30	8·67
Land Records and Agriculture ..	21·57	20·86	20·60	5·79	5·01	4·29
Inam Commissioner	1·03	·86	1·07	1·00	·97	·63
Allowances to District and Village Officers ..	39·27	38·15	37·52	..	..	..
Lump provision for the constitution of additional districts	1·00		.	..	..	..
Total ..	117·51	113·15	112·85	60·15	58·11	55·66

Revenue—Land Revenue Proper.—The high budget figure for 1906–1907 as compared with the actuals of previous years was, as explained in the memorandum issued last year, due to the abolition of the Ryotwari Village Service cess with effect from the 1st April 1906 and to the consequent absence of the deduction which was formerly made from the gross land revenue collections, of the Government contribution to the Village Service fund. The increase in the revised estimate is attributable partly to the fact that collections have improved with a season on the whole favourable. The arrear balance for collection at the beginning of the year was also higher than was anticipated at the time the budget was framed. The increase in the budget for 1907–1908 is due to the contemplated introduction of resettlement rates in certain portions of the districts of Cuddapah, Kurnool, Chingleput and Tinnevelly, coupled with a decrease in season and increment remissions, these being counterbalanced to some extent by a smaller opening balance.

The revised estimates under the minor heads, "Sale-proceeds of waste lands and redemption of land-tax" and "Miscellaneous", though showing an increase as compared with the budget for 1906–1907, differ very slightly from the actuals of 1905–1906 and of previous years and call for no remarks.

ADJUSTMENTS.—The following statement shows the details of the adjustments between Imperial and Provincial funds :—

——	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts, 1905–1906.
Imperial to Provincial.				
(1) Fixed adjustment under the Provincial Settlement	59·66	59·66	59·66	59·66
(2) Grant to the Madras Port Trust	..	6·74	6·74	7·00
(3) Sale-proceeds of stationery supplied to municipalities, etc. ..	·09	·09	·09	·09
(4) For European and Eurasian education	·40	·40	..	..
(5) Additional assignment in consequence of the provincialization of the cost of the outside audit establishment of the Accountant-General's office, Madras	·14	·14	·14	·14
(6) Additional assignment in consequence of the re-arrangement of expenditure under 2. ASSIGNMENTS AND COMPENSATIONS between Imperial and Provincial	1·42	1·42	1·42	1·42
(7) For Police reorganization	10·00	10·00	10·00	10·00
(8) For additional Police reforms	4·50	4·50	4·50	..
(9) For further police reforms	1 00	..	..	..
(10) For Colleges	·80	·80	·80	·80
(11) ,, Primary Education	6·00	6·00	6·00	6·00
(12) ,, Grants-in-aid of District Boards	14·00	14·00	14·00	14·00
(13) ,, ,, of University	·25	·25	·25	·25
(14) ,, Agricultural and Veterinary development	3·00	3·00	3·00	1·50
(15) Tank Restoration works	..	5·00	..	5·00
(16) Assignment in consequence of the abolition of the Ryotwari Village Service cess	49·00	49·00	49·00	..
(17) For Archæological Survey	..	·12	..	..
(18) Provincialization of charges on account of joint Salt, Customs and Excise buildings, non-Government cemeteries and isolated tombs	·56	..	..	..
(19) Assignment to Provincial in connection with the Famine Relief Scheme	2·50	..	.	..
Total additions to Provincial ..	153·32	161·12	155·60	105·86
Provincial to Imperial.				
(20) Opening of new District Post lines	..	..	·01	·01
(21) Transfer of charges of Cantonment Magistrates to the Military department	·11	..	..	..
(22) Cost of stores supplied by the India Office to Provincial departments and erroneously charged off finally in the Home Accounts of 1904–1905 and 1905 1906	..	..	..	·23
(23) Assignment from Provincial to Imperial being the amount of contribution made by the taluk board, Narasapur, towards the maintenance of mid-level channel banks	·01	·01	..	..
Total deductions from Provincial ..	·12	·01	·01	·24
Net transfer to Provincial ..	153·20	161·11	155·59	105·62

The several items appearing in the column "Budget Estimate, 1906–1907" were explained in the memorandum issued last year. The sum of ·40 shown against item (4) is a special recurring annual grant sanctioned by the Government of India in aid of European and Eurasian education.

Item (9).—In addition to the assignments of 10 and 4·50 shown under items (7) and (8) for reorganization schemes connected with the police department the Government of India have in the budget estimate for 1907–1908 sanctioned a further contribution of 1 for police reforms.

The additions of 5 under (15) and of ·12 under (17) represent the special Imperial contributions sanctioned during the course of the year 1906–1907 towards the expenditure on tank restoration schemes and on archæological works, respectively.

Item (18).—According to the terms of the current Provincial settlement the expenditure on buildings in all departments should be borne by Provincial funds except outlay on buildings for the use of Imperial departments. It has recently been decided that buildings occupied by the joint departments of Salt, Customs and Excise—heads of expenditure which are almost entirely Imperial—and non-Government cemeteries and isolated tombs in this Presidency should be classified as Provincial with effect from the 1st April 1907. In order to compensate Provincial revenues for the extra expenditure, an addition of ·56, the average annual outlay on these works during the five years prior to the commencement of the current Provincial settlement has been made to the fixed assignment from Imperial revenues.

Item (19).—This addition to the assignment is explained in the following extract from the Financial Statement of the Government of India :—

48. In the discussion on the last Financial Statement I stated, in reply to the Hon'ble Mr. Logan, that the Government of India recognized that the present arrangement under which the cost of famine relief is a wholly Provincial charge was open to certain serious objections; and I undertook to have the matter fully examined in the hope of devising some more appropriate system. This has now been done. During the summer months, we worked out certain proposals, which were referred for the views of the various Local Governments, and by them were generally well received. After revising the scheme in some minor points in accordance with the criticisms we had received, we submitted it to the Secretary of State, who has accorded it his approval and has authorised us to bring it into effect from the ensuing financial year.

49. The ruling principle of the scheme is to enable each Local Government whose territories are liable to famine gradually to build up a reserve of credit with the Imperial Government on which it will be at liberty to draw when it becomes necessary to incur expenditure on famine relief. The means of creating this reserve of credit will be provided from Imperial revenues, in the form of an increase to the annual fixed assignment of each Local Government. This arrangement is equitable, and indeed necessary, because the existing Provincial settlements make no allowance for famine relief expenditure, and the Provincial Governments could not provide the funds without curtailing their ordinary expenditure.

50. The additional assignments thus made to Local Governments will be debited in their accounts each year under the head 36. Reduction or Avoidance of Debt, which will to that extent become a divided head instead of being wholly Imperial as at present; and an account will be kept of the amounts thus accumulated year by year to the credit of each Government.

51. When famine occurs, the Local Government will be entitled to draw upon the amount standing to its credit to meet its famine expenditure, and charges thus incurred will be shown in our accounts as Imperial expenditure instead of being Provincial as at present. In a famine of relatively small extent the reserve of credit will usually be sufficient to meet the whole charge, and the Local Government will be secured from all dislocation of its ordinary administrative machinery.

52. If a famine should be widespread or severe, it is possible that the reserve of credit may be exhausted. When that happens, we have decided that any further expenditure on famine relief shall be equally shared between the Imperial and the Local Government, instead of being wholly Provincial as at present. Both Governments will bear their share of the inevitable burden, but the Local Government will have to support it to only one-half the extent that it does at present.

53. If a famine should unhappily be prolonged, it may happen that even this measure of assistance may be insufficient. We have therefore decided that when in consequence of the prevalence of famine the balances of any Local Government are depleted so that they fall below one-half of the prescribed minimum, further assistance shall be given from Imperial revenues; but we consider that its precise measure or extent cannot be decided beforehand, and that in that event—which, we trust, will be of rare occurrence under the system now to be introduced—they should be left for determination according to the circumstances of the occasion.

54. The amount of the annual assignments to be made to each Local Government has been determined with reference to, but not in exact proportion to, the average expenditure incurred by them on famine relief during the past 25 years. . . . . The amounts assigned are as follows :—

	RS.
Madras	2,50,000

* * * * *

55. There are two subsidiary points to which allusion may be made. The scheme will come into operation from 1907–1908; but it is possible that a famine might occur before the province affected had accumulated a sufficiently strong reserve of credit to enable it to meet the charge. To provide for this contingency it has been decided that any famine relief expenditure that may be incurred in the first five years shall be treated as Imperial up to a limit equal to five years' accumulated credits in the *pro formâ* account. The second point is that, in order to avoid the possible accumulation of credit to an unnecessarily high figure, it is necessary to fix some maximum limit to the reserve of each Province. When that limit has been reached, the annual assignment and addition to the outstanding credit will cease until it has been reduced by expenditure on relief. The amount to be fixed for each province cannot suitably be based on average expenditure, and it has been determined roughly with reference to the maximum expenditure likely to be incurred in a year of moderately severe famine. The maxima decided on are as follows :—

	Lakhs of rupees.
Madras	25

* * * * *

56. By these measures we hope to avoid or mitigate the evils of the present system, which were set forth in the debate on last year's Financial Statement. On the one hand we preserve in large measure the inducement to economy which is the sole apparent merit of the present system. For the more a Local Government draws on its reserve of credit, the faster it will be exhausted, and the sooner will be reached the stage at which half the charges begin to fall on Provincial revenues. On the other hand, we take effective steps to protect the Provincial Governments, each in approximate proportion to its liability to famine, from the utter dislocation of its resources which a considerable famine almost immediately involves. If the famine is on a small scale, the protection is complete. If it is more extensive, we share the burden. In the worst case of all, we indicate definitely the point at which a still larger measure of assistance may be claimed from Imperial revenues. Lastly, we obviate the anomaly which has occurred under the present system, by which the occurrence of a famine has actually operated to increase the Imperial surplus, by transferring expenditure from an Imperial head (Reduction or Avoidance of Debt) to the head Famine Relief, which has hitherto been wholly Provincial.

The assignment of 2·50 to this Presidency enters on the receipts side through the head Land Revenue—Adjustments and a corresponding provision is made on the expenditure side under the head 36. Reduction or Avoidance of Debt.

Item (21).—The deduction is in consequence of the transfer to the Military estimates of the charges on account of Cantonment Magistrates with effect from the 1st April 1907.

Expenditure.—The charges on account of the Ryotwari Village Service establishments were on the abolition of that fund on the 1st April 1906 transferred to Provincial. The cost of the establishment of karnams and assistant karnams is shown under the minor head "Land Records and Agriculture" while that of other village establishments appears under the head "Allowances to District and Village Officers".

The revised estimate for 1906–1907 and the budget estimate for 1907–1908 under the various minor heads comprised in this major head are affected by the following alterations in the classification of the accounts with effect from the 1st April 1906. Charges on account of karnams in the tirvajasti village establishment in the Kistna district and of the establishment for the supervision of villages recently resumed have been transferred from the minor head "Charges of District Administration" to the minor head "Land Records and Agriculture"; the charges relating to officials other than karnams in these establishments as well as the pay of vettis employed at the cost of Government in proprietary estates have been transferred from the minor head "Charges of District Administration" to the minor head "Allowances to District and Village officers"; and the expenditure on petty construction and repairs of village chavadis and ghat huts, which was provided in the budget for 1906–1907 under the major head 45. Civil Works, has been transferred to the minor head "Allowances to District and Village officers".

The figures for 1906–1907 and 1907–1908 are also affected by the inclusion under the minor head "Charges of District Administration" of the expenditure on the Local Fund Account establishments in Collectors' offices. As explained in the memorandum issued last year, charges on account of Local Fund Audit clerks were prior to the 1st April 1906 debited in the first instance to Provincial funds under this minor head and were subsequently recovered together with pensionary contribution through the major head "Adjusting Heads—Contributions from Local to Provincial". Besides these audit clerks there was also a Local Fund Account establishment in Collectors' offices the cost of which was borne by Local funds direct. Both the Local Fund Audit and the Local Fund Account staffs have, in the interests of uniformity and in order to avoid duplication of work, been amalgamated, the charges of the combined staff being debited to Provincial funds in the first instance under this head and recovered subsequently from Local funds along with pensionary contribution.

Charges of District Administration.—The increase in 1904–1905 and 1905–1906 was mainly due to the formation of the new district of Guntúr with effect from the 1st October 1904.

The excess of the revised over the budget estimate for 1906–1907 has been caused—(*a*) by the absence on leave out of India of a smaller number of officers than anticipated; (*b*) by the recent alteration of the rule in regard to acting allowance during the first thirty days of privilege leave vacancies; (*c*) by more frequent travelling of revenue officials; and (*d*) by enhanced expenditure under postage charges.

These increases have been counterbalanced to some extent by lapses in the provision for remuneration to copyists and examiners and by the transfers mentioned above of charges on account of karnams and village establishments.

The budget estimate for 1907–1908 contains a larger provision on account of the special revenue establishments in connection with the revision survey and resurvey of the districts of Ganjám, Kurnool, Cuddapah, Chingleput, Coimbatore and Tinnevelly. An enhanced allotment has also been made for petty works of construction in consequence of the recent raising of the limit from Rs. 1,000 to Rs. 2,500 for works to be executed departmentally.

Survey and Settlement.—The lapse on the budget for 1906-1907 is due to the absence on leave out of India of the permanent Deputy Director of Revenue Survey; to the non-employment of the whole of the sanctioned establishment for ferro-prussiate work in the Central Survey office; and to the provision for temporary establishments for preparing settlement registers and accounts in settlement parties not having been fully utilized. On the other hand, the employment of additional temporary hands in the Survey department, the grant of leave to a member of the Board of Revenue and to the Secretary and the appointment during the year of three additional Special Assistant Settlement Officers have contributed to raise the expenditure.

The budget for 1907–1908 contains provision for a full year for these three Special Assistant Settlement Officers. A larger allotment has also been made for temporary establishments for preparing settlement registers and accounts and for remuneration to karnams in connection therewith. The budget also contemplates expenditure on the survey and settlement of the whole inam villages under the management of the district boards of Guntúr and Trichinopoly, the cost of which is recovered from those local bodies along with pensionary contribution through the head "ADJUSTING HEADS—Contributions from Local to Provincial".

Land Records and Agriculture.—The excess in the revised estimate is due to the grant of privilege leave to the Deputy Director of Land Records; to the transfer referred to above of charges on account of karnams from the minor head "Charges of District Administration" to this minor head; to enhanced outlay on the checking of field sketches; and to higher expenditure than was anticipated on karnams.

The budget estimate for 1907–1908 includes allotments (*a*) for the revision of the staff of karnams in the village establishments of the districts of Ganjám, Gódávari and Kistna, and (*b*) for additional expenditure on account of karnams in Trichinopoly and in portions of South Canara and Malabar, the village establishments in which have been reorganized during 1906–1907. It also contemplates the employment of the full sanctioned staff of Inspectors of Land Records and Deputy Surveyors. An enhanced grant has been entered for the checking of field sketches.

Inam Commissioner.—The saving in the revised estimate is due to the fact that work in connection with the enfranchisement of village service inams in the proprietary estates of the Kistna and Nellore districts was commenced in July 1906 instead of from the beginning of the financial year as was originally contemplated.

Allowances to District and Village Officers.—The excess in the revised estimate is explained by the alterations in the classification of the accounts mentioned above. This excess would have been greater but for the fact that portion of the allotment in the budget estimate of 1906–1907 for the revision of village establishments has lapsed.

The budget estimate for 1907–1908 provides for the revision of village establishments other than karnams in the several tracts mentioned under the minor head "Land Records and Agriculture" and contains an allotment for increasing the pay of talaiyaris in the Coimbatore district.

A lump provision of 1 has been entered in connection with the scheme for the constitution of additional districts.

IV. STAMPS—6.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts.		
				1905–1906.	1904–1905.	1903–1904.
REVENUE—						
Sale of general stamps	38·67	36·92	37·05	34·16	31·61	30·53
Sale of court-fee stamps	63·50	60·55	57·78	58·38	55·65	52·92
Duty on impressing documents ..	·71	·91	·59	·75	·58	·58
Fines and penalties	·60	·60	·56	·56	·57	·51
Miscellaneous	·02	·02	·02	·02	·03	·04
Total ..	103·50	99·00	96·00	93·87	88·44	84·58
Provincial share—one-half ..	51·75	49·50	48·00	46·93	44·22	* 63·44
EXPENDITURE—						
Superintendence	·27	·27	·27	·26	·26	·25
Charges for the sale of general stamps	1·51	1·50	1·56	1·55	1·51	1·47
Charges on sale of court-fee stamps.	·60	·60	·56	·58	·55	·53
Stamp paper supplied from Central Stores	1·40	1·40	1·28	1·40	1·21	1·32
Total ..	3·78	3·77	3·67	3·79	3·53	3·57
Provincial share—one-half ..	1·89	1·89	1·83	1·89	1·77	* 2·68

* Provincial share was three-fourths.

REVENUE.—As explained in the memorandum issued last year, the introduction of the unified one-anna and half-anna stamps for postal and revenue purposes with effect from the 1st October 1905 affect the figures under this head, the revenue from these unified stamps being credited to the Imperial head POST OFFICE, whereas prior to that date the proceeds of the sale of one-anna receipt stamp were credited to this major head. In order to compensate Provincial revenues for the loss thus arising, the Government of India decided to credit to the head STAMPS sums of 1·35 in 1905–1906 and of 3·50 in succeeding years as representing the share of the revenue from unified stamps, these amounts being included under the minor head "Sale of general stamps".

The revenue under this major head continues to show a steady increase.

EXPENDITURE.—The decrease in the charges for the sale of general stamps is attributed mainly to the unification of the one-anna postal and receipt stamps.

The budget estimate has been based on the revised estimate for 1906–1907 and on the estimated receipts.

V. Excise—7.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts. 1905–1906.	1904–1905.	1903–1904.
Revenue—						
License and distillery fees and duties for the sale of liquors and drugs	203·79	196·79	186·19	183·98	180·23	169·97
Transit duty on excise opium ..	4·44	4·44	4·20	4·40	4·37	4·39
Gain on sale-proceeds of excise opium	·90	·90	·33	·46	·58	·66
Duty on ganja	2·10	2·10	1·60	1·53	1·63	1·28
Fines, confiscations and miscellaneous	·77	·77	·68	·77	·73	·72
Total ..	212·00	205·00	193·00	191·14	187·54	177·02
Provincial share—one-fourth ..	53·00	51·25	48·25	47·78	46·89	44·25
Expenditure—						
District Executive establishment..	·02	·02	·02	·02	·02	·01
Loss by dryage and wastage of opium	·02	·03	·02	·05	·03	·03
Portion of the combined Salt, Excise and Customs establishments	9·96	9·98	10·25	10·14	9·95	9·93
Total ..	10·00	10·03	10·29	10·21	10·00	9·97
Provincial share—one-fourth ..	2·50	2·51	2·57	2·55	2·50	2·49
Petty Construction and Repairs (Provincial)	·20	..	..	..	..	..
Total Provincial ..	2·70	2·51	2·57	2·55	2·50	2·49

Revenue.—Nearly 90 *per cent.* of the receipts under this head is derived from country spirits and toddy, the revenue from which is shown under the first minor head. The actuals for 1905–1906 from this source were the highest on record. The increase in the revised estimate is due chiefly to the enhancement of the excise duty in the southern districts of the Presidency. The duty on ganja and bhang was also raised from the 1st April 1906 and there was a diminution in the average cost of opium obtained from Bombay.

The budget estimate for 1907–1908 is based on the revised estimate.

Expenditure.—Five *per cent.* of the charges of the combined department of Salt, Excise and Customs, exclusive of the charges relating to (*a*) "Salt purchase and freight" and (*b*) "Excise licensees' works", is debited to the head 9. Customs which is wholly Imperial, and two-fifths of the remainder are debited to 7. Excise, the Provincial share under which is one-fourth. The charges under the major head 7. Excise therefore depend on those under the head 5. Salt.

The sum of ·20 shown against "Petty Construction and Repairs" represents a portion of the expenditure on buildings occupied by the joint departments of Salt, Customs and Excise. The allotments of ·29 and ·03 shown against the heads 5. Salt and 9. Customs, respectively, in appendix A to this memorandum are intended for the same purpose. As has already been mentioned under the head I. Land Revenue—Adjustments (item 18), Provincial funds receive compensation for the expenditure on the buildings of these joint departments.

VIII. Assessed Taxes—10.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts. 1905–1906.	1904–1905.	1903–1904.
Revenue	28·00	27·25	27·00	26·05	25·31	24·05
Provincial share (one-fourth) ..	7·00	6·81	6·75	6·51	6·33	* 12·03
Expenditure	·34	·33	·32	·33	·29	·30
Provincial share (one-fourth) ..	·09	·08	·08	·08	·07	* ·15

* Provincial share was one-half.

The revenue under this head shows a progressive increase.

IX. Forest—11.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts. 1905–1906.	1904–1905.	1903–1904.
Revenue—						
Timber and other produce removed from the forests by Government Agency	12·7	11·88	11·39	9·09	7·00	6·18
Timber and other produce removed from the forests by consumers or purchasers	19·50	19·15	18·26	19·05	19·90	18·91
Confiscated, drift and waif wood..	·15	·15	·14	·17	·14	·14
Miscellaneous	1·60	1·57	1·11	1·37	1·25	1·35
Total ..	34·00	32·75	30·90	29·68	28·29	26·58
Provincial share, one-fourth ..	8·50	8·19	7·72	7·42	7·07	* 13·29
Expenditure—						
Conservancy and works	17·03	15·18	15·83	13·24	10·98	9·04
Establishment	11·12	9·52	9·52	9·13	8·88	8·47
Lump provision	..	..	·15	..	..	..
Lump deduction	*·65*	..	..	..	..	..
Total ..	27·50	24·70	25·50	22·67	19·86	17·51
Provincial share, one-fourth ..	6·87	6·17	6·37	5·67	4·97	* 8·75

* Provincial share was one-half.

Revenue.—The large rise in 1905–1906 under the first minor head was due to the extension of the departmental system of exploitation, to the opening of depots for the sale of small timber, fuel, hay and agricultural implements, and to large supplies of timber and firewood to railways, mills and the public. In 1906–1907 increased receipts are expected under the sub-head "bamboos" as a consequence of departmental exploitation on a large scale in the Kurnool and Salem districts and of the abolition of the permit system.

Under the second minor head the drop in 1905–1906 arose from the gradual abolition of the permit system in favour of departmental working. The fall in revenue due to this cause would have been greater but for larger receipts realised under the sub-heads "grazing" and "minor produce" as a result of closer supervision. In the current year the revenue under this minor head is likely to exceed the budget in consequence of (*a*) enhanced receipts from grazing fees attributed partly to an increase in the number of animals grazing in the reserves and partly to better check over collections; (*b*) bumper crops of gall-nuts in Vizagapatam; (*c*) the development of the

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mica industry in Nellore; (d) the collection of outstanding revenue in Tinnevelly; and (e) realizations from quarrying in Tinnevelly and South Canara. The abolition of the permit system has, however, reduced the receipts under the sub-head "firewood" in the Northern and Central Circles.

The comparatively high figures under the remaining minor heads in 1905–1906 resulted from the sale of confiscated property in South Canara, the collection of arrear rents of forest lands leased for coffee cultivation on the Anamalais, and larger receipts from compounding fees.

The budget estimate provides for a steady growth in the revenue, having regard to the policy of extending departmental operations so that timber and other forest produce may be made available for sale at local depots at all important centres.

EXPENDITURE.—The rise in expenditure in 1905–1906 under "Conservancy and Works" was due to the extension of departmental operations, the purchase of live and dead stock, the acquisition of a site for a depot in Mangalore, fire-protection in the districts of Gódávari, Kurnool and Cuddapah, sowing and planting operations in Kurnool and the construction of new buildings and roads. The lapse on the budget estimate for 1906–1907 under this minor head is spread over various items in small amounts. The allotment for expenditure in 1907–1908 is consequent on the anticipated increase in the receipts. The departmental system of working is being extended and enhanced outlay is contemplated on the erection of rest-houses and the construction of roads to open up the forests.

Under the second minor head "Establishment" the principal causes which contributed to the rise in expenditure in 1905–1906 were the employment of additional establishments, mostly in the Northern Circle, and the establishment of a training school for deputy rangers and foresters at Coimbatore.

In 1907–1908 the constitution of new forest charges in the districts of Cuddapah and Gódávari, the contemplated exploitation of the forests in the deltaic tracts in the Kistna and Guntúr districts and the formation of additional ranges in the Nallamalais in the Kurnool district necessitate enhanced provisions. The grading and emoluments of Deputy and Assistant Conservators of Forests have recently been revised and an officer's position will, for the future, not depend upon the grade which he occupies but will be personal and dependent on his length of service. The budget provides for the additional cost of this scheme and also includes allotments for a scheme for the revision of the staff of rangers and for the employment of depôt inspectors to supervise the working of the sale depots which have been opened at important centres.

X. REGISTRATION—12.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts. 1905–1906.	Accounts. 1904–1905.	Accounts. 1903–1904.
REVENUE—						
Fees for registering documents	15·84	15·14	13·50	14·15	12·87	12·10
Fees for copies of registered documents	·36	·36	·35	·36	·34	·34
Miscellaneous	1·90	1·90	2·15	2·18	2·87	2·94
Total ..	18·10	17·40	16·00	16·69	16·08	15·38
Provincial share	18·10	17·40	16·00	16·69	16·08	*7·69
EXPENDITURE—						
Superintendence	·43	·43	·41	·38	·43	·45
District charges	9·67	9·37	9·13	9·09	8·80	8·61
Total ..	10·10	9·80	9·54	9·47	9·23	*9·06
Provincial share	10·10	9·80	9·54	9·47	9·23	*4·53

* Provincial share was one-half.

REVENUE.—The revenue under the minor head "Fees for registering documents" continues to show a steady rise. The increase of ·51 in the receipts of 1903–1904 rose to ·77 in 1904–1905, the improvement in the latter year being attributed to the increase in registration operations caused by the partial failure of the monsoon. The actuals of 1905–1906 exhibit a further rise of 1·28 over those of 1904–1905, this following on a considerable increase in the number of documents registered as a result partly of the unfavourable character of the season and partly of the registration of a large number of Provident societies started in that year.

The revised estimate for 1906–1907 is based on the actual receipts in the first ten months of the year.

The revenue under the minor head "Miscellaneous" is affected by the receipts from fees for searches in the registration records. A ruling issued by the High Court in 1902 required that certificates of encumbrances from Registration offices should be produced in connection with court sales of immoveable property. This ruling which at first applied to all court sales was modified with effect from January 1905 to cover cases of decrees exceeding Rs. 500, it being left to the discretion of the courts whether or not to require such certificates in other cases. In view of the increase of work in Registration offices entailed by this ruling, the Government in 1903 called for proposals for strengthening Registration offices generally. The consideration of the matter was, however, deferred in consequence of the modification of the High Court's ruling in 1905 and in order to judge of the effect of that modification. It has since become evident that the general expansion of the operations of the department and the greater attention now paid to the preparation and maintenance of the records of the department also justify an increase of the clerical establishments. The Government have recently had under consideration proposals for meeting these requirements, but as the territorial limits of certain registration districts will be affected by the scheme for the redistribution of district and divisional charges it has been decided to continue the present arrangements, which involve the employment of a large temporary staff for section-writing and copying, until a decision on that scheme has been arrived at.

EXPENDITURE.—The excess in the revised estimate for 1906–1907 under the first minor head "Superintendence" is due to additions to the office establishment of the Inspector-General of Registration.

The steady increase in the figures under the second head "District charges" has been caused by the opening of new Sub-Registry offices. The savings for which the budget estimate took credit under salaries and establishment will not, it is anticipated, be realized in 1906–1907 and there has been enhanced expenditure on section-writing and copying.

The budget estimate for 1907–1908, besides providing as usual for the opening of new Sub-Registry offices, contains an allotment for the improvement of the scale of pay of Sub-Registrars which has been sanctioned at a total additional cost of ·20 *per annum*.

XII. INTEREST—13.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts.		
				1905–1906.	1904–1905.	1903–1904.
REVENUE	3·31	2·85	3·20	2·32	2·27	2·50
EXPENDITURE	2·59	2·29	2·61	2·02	1·83	1·82

REVENUE.—The revenue under this head represents mainly the interest received by the Local Government on advances and loans made from the Provincial advance and loan account. It also includes the interest on Government securities (endowments, etc.).

Expenditure.—On the other hand, the interest at $3\frac{1}{2}$ *per cent.* which the Local Government pay the Government of India on sums from time to time placed at their disposal from which to make these advances and loans is shown as expenditure under this head, this interest being calculated on the mean between the outstanding balance of the Provincial advance and loan account at the beginning and the outstanding balance at the end of each year. As, however, no interest is recovered in respect of the loans advanced to Co-operative Credit Societies during the first three years following the registration of such societies, the Local Government are relieved of the payment of interest charges on account of these interest-free loans. The Provincial advance and loan account itself is not included in the terms of the Provincial settlement, the sums placed at the disposal of the Local Government being in addition to the settlement assignments and being fixed annually by the Government of India on a consideration of their available resources and of the demands thereon.

General Administration—18.

—	Budget estimate, 1907-1908.	Revised estimate, 1906-1907.	Budget estimate, 1906-1907.	Accounts.		
				1905-1906.	1904-1905.	1903-1904.
Expenditure—						
Salary of the Governor	1·20	1·20	1·20	1·20	1·17	1·20
Staff and household of the Governor	·70	·65	·69	·93	·46	·65
Expenditure from contract allowance	·94	·91	·91	1·27	·90	·90
Tour expenses	·04	·12	·06	·05	·03	·09
Executive Council	1·40	1·38	1·41	1·32	1·37	1·48
Legislative Council	·06	·05	·11	·04	·03	·05
Civil Secretariats	4·03	4·02	3·95	4·32	4·30	4·11
Board of Revenue, Financial Commissioner and Establishments.	1·62	1·70	1·64	1·69	1·71	1·76
Civil Offices of Account and Audit.	·80	·81	·80	·78	·77	·68
Total ..	10·79	10·84	10·77	11·60	10·74	10·92

The high figure under the second minor head in 1905–1906 was due mainly to the special expenditure in connection with the visit of His Royal Highness the Prince of Wales, and partly to the transfer to this head from the head 24 Medical of the charges on account of the Surgeon to His Excellency the Governor and the Government House dispensary. The increase under the third minor head in the same year represents special expenditure on the replenishment of the crockery, plate, glass and linen in the Government Houses.

The actuals of 1904–1905 and 1905–1906 under the minor head "Civil Secretariats" include the cost of the deputation of officers on special duty in the Government Secretariat in connection with the Madras City Municipal Bill, the redistribution of district and divisional charges, the investigation of certain points of plague administration and the revision of the Forest Code.

The budget for 1906–1907 under the head "Tour Expenses" will be exceeded owing to repairs to, and renewals of, the camp equipment maintained at Government House, whilst the decrease under the minor head "Legislative Council" is due to the non-utilization of the provision for the allowance to the Madras Member of the Legislative Council of India which was drawn fully at Calcutta. The excess under the head "Civil Secretariats" is caused chiefly by the deputation of officers on special duty, whilst the grant of privilege leave to a Member of the Board of Revenue contributes to the increase under the head "Board of Revenue".

The increase in the budget allotment for 1907–1908 under the head "Expenditure from contract allowance" is intended to meet the extra cost caused by the introduction of electric lights and fans in the Government Houses. A lump provision

has been made under the head "Civil Secretariats" in connection with the Central Record office now under construction at the Presidency town. The space available for records in the General Record department of the Secretariat at the Fort is now occupied fully, and at the same time more accommodation is urgently required for the Secretariat offices. To the Central Record office will be transferred the older Secretariat records and the more valuable records from head-quarter and district offices. The deposit of these in a central building specially constructed for the purpose will be conducive to their proper preservation and will also render documents of interest to the historical student more readily accessible than they are at present.

XVI-A. Law and Justice—Courts of Law—19-A.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts. 1905–1906.	Accounts. 1904–1905.	Accounts. 1903–1904.
Revenue—						
Sale-proceeds of unclaimed and escheated property	·18	·13	·18	·16	·37	·15
Court-fees realised in cash ..	·21	·17	·23	·20	·24	·22
General fees, fines and forfeitures.	7·10	6·83	7·08	7·09	6·56	7·56
Pleadership examination fees ..	·07	·08	·07	·07	·07	·06
Miscellaneous fees and fines ..	·18	·18	·17	·17	·17	·19
Miscellaneous	·07	·07	·07	·07	·06	·05
Total ..	7·81	7·46	7·80	7·76	7·47	8·23
Expenditure—						
High Court	5·85	6·16	5·77	5·84	5·73	5·76
Law officers	1·71	1·80	1·68	1·53	1·65	2·16
Administrator-General	·02	·02	·02	·03	·02	— ·02
Presidency Magistrates' Court ..	·59	·63	·59	·60	·60	·57
Civil and Sessions Courts	26·73	26·77	26·61	26·53	26·46	25·47
Court of Small Causes	·98	·97	·96	·95	·96	·95
Criminal Courts	13·09	13·04	13·18	13·11	12·95	12·86
Pleadership examination charges. .	·06	·05	·06	·04	·05	·06
Refunds	·98	·98	1·00	·88	·98	·92
Lump provision for the constitution of additional districts ..	·50	..	..	..	..	..
Total ..	50·51	50·42	49·87	49·51	49·40	48·73

Revenue.—It will be observed that the fall in the revised estimate occurs chiefly under the third minor head, the revenue under which is liable to fluctuations as it depends largely on the amount of magisterial fines realized.

Expenditure—*Revised Estimate for* 1906-1907.—The increase as compared with the budget estimate under "High Court" is mainly under "Printing and translation executed on behalf of suitors", expenditure on which is covered by receipts *per contra.*

In the minor head "Law officers" there have been large payments of fees to pleaders in civil and criminal cases—*e.g.*, the Kodur case, the Gujjanur water-rate suits and land acquisition cases in the Nilgiris district.

The budget estimate under "Presidency Magistrates' Court" has been exceeded owing to the grant of privilege leave to Magistrates.

The excess under "Civil and Sessions Courts" has arisen from the fact that the savings for which the budget took credit in the salaries of District and Sessions Judges have not been realized.

Under "Criminal Courts" there have been lapses in the provision for diet and road money to prosecutors and witnesses.

Budget Estimate for 1907–1908.—The budget under "High Court" provides for (*a*) the grant of a local allowance of Rs. 100 *per mensem* each to the Deputy Registrar in the High Court for performing the duties of the Chief Clerk of the

Insolvency Court, and to the Assistant Registrar for performing those of the Clerk of the Crown, (*b*) the charges for the maintenance of the electric installation in the High Court, and (*c*) increased municipal taxes on the High Court buildings.

Under "Civil and Sessions Courts" the budget does not count upon any savings under salaries.

The decrease under Criminal Courts as compared with the budget for 1906–1907 is due to the transfer with effect from the 1st April 1907 of the charges on account of Cantonment Magistrates from this minor head to the Military estimates. In consequence of this alteration ·11 has been deducted from the fixed assignment from Imperial to Provincial revenues.

A lump allotment of ·50 is included in the budget for 1907–1908 for expenditure on some portion of the scheme for the constitution of additional districts which, it is hoped, may be introduced at any rate partially in the course of the year.

XVI-B. Law and Justice—Jails—19-B.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts.		
				1905–1906	1904–1905.	1903–1904.
Revenue—						
Jails	·28	·27	·28	·28	·36	·29
Jail manufactures	5·19	5·03	5·32	5·11	5·30	4·37
Total ..	5·47	5·30	5·60	5·39	5·66	4·66
Expenditure—						
Jails	9·73	9·95	9·20	9·08	8·51	8·29
Jail manufactures	4·15	4·20	4·10	4·29	4·13	3·88
Total ..	13·88	14·15	13·30	13·37	12·64	12·17

Revenue.—The high figure in the accounts for 1904–1905 under "Jails" was due to the employment of a large number of convicts on press work at the Madras Penitentiary in consequence of the strike at the Government Press, and under "Jail manufactures" to large supplies of goods by the Penitentiary to the Madras Arsenal and by Central jails to the Military and Public Works departments.

The revised estimate for 1906–1907 and the budget estimate for 1907–1908 under "Jail manufactures" are based on past actuals and on the ascertained results of the year 1906–1907.

Expenditure.—During the first nine months of 1906–1907 the actual daily average population in jails was 10 *per cent.* higher than the average population on which the budget estimate was based. Consequently, increased expenditure is anticipated in 1906–1907 under "Jails" on account of "dietary charges," "clothing and bedding of prisoners," "charges for moving prisoners" and "contingent charges." The expenditure under dietary charges was further swelled by the high prices of food-grains. Increased expenditure is also anticipated under sanitation charges in consequence of the removal of prisoners to camp on account of the outbreak of cholera in some jails and of the precautionary measures taken in other jails to prevent the introduction of epidemic diseases.

The excess in the revised estimate under "Jail manufactures" over the budget estimate for 1906–1907 arose from the necessity for the supply of remunerative labour to a larger number of prisoners.

The budget estimate for 1907–1908 contemplates a smaller daily average population than in 1906–1907. On the other hand, increased provision has been made under petty construction and repairs in consequence of the raising of the limit from Rs. 1,000 to Rs. 2,500 for works to be executed departmentally, and a lump allotment has been entered in connection with a proposal to revise the pay and strength of the jail warder establishment.

XVII. Police—20.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Actuals. 1905–1906.	1904–1905.	1903–1904.
Revenue—						
Police supplied to Public departments, Private companies and persons	·29	·18	·31	·31	·56	1·66
Presidency Police	·47	·47	·45	·48	·46	·46
Cash receipts under the Arms Act.	..	..	..	..	..	..
Fees, Fines and Forfeitures ..	3·45	3·39	3·39	3·44	3·40	3·36
Superannuation Receipts	·01	·01	·01	·01	·01	·01
Miscellaneous	·16	·20	·45	·54	·63	·70
Total ..	4·38	4·25	4·61	4·78	5·06	6·19
Expenditure—						
Presidency Police	3·81	3·99	4·85	3·64	3·31	3·23
Superintendence	1·72	1·84	1·59	1·74	1·67	1·80
District Executive Force	52·37	47·73	42·39	41·90	42·41	41·21
Village Police	·05	·05	·05	·05	·05	·05
Special Police	..	·09	·15	·17	·15	·14
Criminal Investigation Department.	·89	·29	..	..	..	..
Railway Police	1·48	1·40	1·14	1·23	1·18	1·00
Cattle Pounds	2·60	2·42	2·75	2·58	2·44	2·37
Steam-boiler Inspection establishments	·18	·18	·17	·16	·15	·13
Inspection of Electric Installations.	..	..	..	..	..	·01
Refunds	·01	·01	·01	·01	·01	·01
Lump provision for re-organization schemes	2·50	..	10·40	..	..	..
Total ..	65·61	58·00	63·50	51·48	51·37	49·95

Revenue.—The accounts for 1905–1906 and previous years under the first minor head included recoveries on account of the special police detachments employed in the Madura and Tinnevelly districts. These detachments have been disbanded, with the exception of that at Kamuthi in Madura which will be retained during 1907–1908. The recovery on account of the special police employed in Tinnevelly for 1905–1906, for which credit was taken in the budget estimate for 1906–1907, will not be realized as there were excess recoveries in previous years on this account.

The increase in the revised estimate for 1906–1907 and in the budget estimate for 1907–1908, as compared with the budget for 1906–1907, under "Presidency Police" is mainly due to the recoveries on account of police supplied to private bodies being effected on the higher rate of pay sanctioned for constables. The fees for inspection of boilers, which are also credited under this minor head, have risen with an increase in the number of boilers in the Presidency town.

Under "Fees, Fines and Forfeitures" enhanced receipts are anticipated in 1907–1908 from license fees for hackney carriages owing to the extension of the Hackney Carriage Act to Coimbatore, Podanur and other places, and from the fees for inspection of boilers in the mufassal.

The discontinuance of the recovery from head constables and constables of rent for huts accounts for the fall under "Miscellaneous."

Expenditure.—The budget estimate for 1906–1907 contained two lump provisions for reorganization schemes, viz., 1·30 included under the minor head "Presidency Police" and 10·40 shown separately. Of the latter provision it is anticipated that about 5·75 will be spent. Details of this expenditure are included in the revised estimate under the respective minor heads affected by the schemes.

Only part of the lump provision of 1·30 for the reorganization of the Madras City police will be utilized. The sanction for this scheme was received in January last.

The higher rates of pay drawn by the Deputy Inspectors-General from the 1st April 1906 under the reorganization scheme account for the excess in the revised estimate under "Superintendence." In the budget for 1907–1908 the provision for the finger-print establishment hitherto shown under this head has been transferred to the head "Criminal Investigation department."

Besides the reorganization of the City police, the following schemes have so far been sanctioned:—(*a*) the improvement of the scale of pay of superior officers of Police and the creation of additional superior appointments; (*b*) the appointment of Deputy Superintendents; (*c*) the expansion of the Provincial Training school at Vellore; (*d*) the recruitment of Sub-Inspectors; (*e*) the grant of the first increment of pay to constables; and (*f*) additions to the armed police reserve, including the formation of a grade of Sergeants. Expenditure for only a portion of the year on most of these schemes is included in the revised estimate for 1906–1907 under "District Executive Force", while the budget for 1907-1908 makes provision on their account for a whole year. With additions to the force, expenditure on office establishments, travelling allowance and contingencies has risen and will rise still further. The enhanced allotments necessitated thereby together with a provision for horse allowance to Sub-Inspectors and increased grants for works of petty construction and repair help to swell the expenditure under this minor head.

The formation of the Criminal Investigation department was also one of the schemes sanctioned during 1906-1907. The department was organised in September 1906 and from that date the portion of the force formerly shown under the minor head "Special Police" merged in the new department. Consequently, only the actual expenditure incurred in the first half of 1906–1907 on account of "Special Police" is shown as the revised estimate under that minor head.

The budget estimate for 1907–1908 under "Criminal Investigation Department" provides for the full-sanctioned scale of the branch as well as for the finger-print establishment transferred from "Superintendence" as already mentioned.

The revised estimate for 1906-1907 and the budget estimate for 1907–1908 under "Railway Police" include allotments for the additional Superintendent and Assistant Superintendent of Railway Police and their establishments, and for a portion of the cost of the Deputy Inspector-General in charge of the Criminal Investigation department, who also supervises the Railway Police.

The variations in the figures under "Cattle Pounds" are mainly in the allotment for the construction and repair of pounds, the budget for 1906-1907 under which was over-estimated.

It is under contemplation to give effect to the following further schemes of Police reorganization in the course of 1907–1908:—

(*a*) Raising the pay of the third and fourth classes of Inspectors.
(*b*) Introduction of the re-allocation scheme into certain districts.
(*c*) Grant of second increment of pay to constables with ten years' approved service.
(*d*) Establishment of a training school for constables at Vellore.

The budget estimate for 1907-1908 provides a lump grant of 2·50 to cover the cost of these schemes and the reorganization of the City police.

MARINE—21.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Actuals.		
				1905–1906.	1904–1905.	1903–1904.
EXPENDITURE—						
Marine Establishments	·15	·17	·16	·15	·14	·16
	·15	·17	·16	·15	·14	·16

EXPENDITURE.—The charges under this head relate to the office of the Agent for Government Consignments. The excess in the revised estimate for 1906–1907 occurs under landing and shipping charges. The budget estimate for 1907–1908 is based on the average of the actuals for the past three years.

XIX. EDUCATION—22.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts. 1905–1906.	Accounts. 1904–1905.	Accounts. 1903–1904.
REVENUE—						
Fees, Government Colleges, General.	·78	·75	·83	·80	·80	·75
Fees, Government Colleges, Professional.	·81	·80	·88	·70	·76	·80
Fees, Schools, General	·30	·30	·27	·30	·27	·24
Fees, Schools, Special	·12	·12	·11	·24	·23	·24
Contributions	·003	·003	·003	·003	·004	·02
Miscellaneous	·16	·27	·29	·25	·24	·25
Total ..	2·17	2·24	2·38	2·29	2·30	2·30
EXPENDITURE—						
University	2·01	·25	·20	·21	·05	..
Direction	·78	·73	·76	·76	·69	·63
Inspection	5·24	4·81	5·09	4·49	3·55	3·24
Government Colleges, General ..	2·13	2·11	2·07	2·13	2·09	1·99
Government Colleges, Professional.	2·04	2·16	1·98	2·11	2·14	2·16
Government Schools, General.	1·98	1·93	1·86	1·73	1·86	1·71
Government Schools, Special	2·95	2·49	2·71	2·92	2·44	2·57
Grants-in-aid	6·60	6·69	8·56	8·06	8·33	8·32
Scholarships	·58	·60	·54	·58	·54	·50
Miscellaneous	·69	·77	·24	·19	·17	·17
Refunds	·003	·003	·01	·001	·01	·03
Lump provision for primary education.	·83	..	6·00		..	..
Lump provision for reorganization of subordinate educational service.	..	.	·01	..	..	..
Total ..	25·83	22·54	30·03	23·18	21·87	21·32

The figures for 1906–1907 and 1907–1908 are affected by alterations in the classification of the accounts. The receipts and charges on account of the carpentry and miscellaneous (metal work, etc.) departments of the School of Arts, which were shown under the major head SCIENTIFIC, ETC., DEPARTMENTS up to the end of 1905–1906, have since been transferred to this major head. On the other hand, farm and other receipts of the College of Agriculture which were credited to the head "XIX. EDUCATION—Miscellaneous" up to the 1st April 1906 and the charges on account of the Agricultural College and of the officer on special duty in connection with the development of technical education, now designated "Director of Industrial and Technical Enquiries", which were up to that date debited to the head 22. EDUCATION have since been shown under the major head SCIENTIFIC, ETC., DEPARTMENTS.

REVENUE.—The fall under the first two minor heads in the revised estimate as compared with the budget estimate for 1906–1907 is due to smaller realizations from fees in Arts Colleges and in the Law College The receipts under "Fees—Schools—Special" have been affected by the amalgamation of the School of Engineering with the College department from the 1st April 1906 and the consequent transfer of the fees received in the school to the minor head "Fees—Government Colleges—Professional."

The budget estimate for 1907–1908, which is based on the revised estimate for 1906–1907, contemplates diminished receipts under the minor head "Miscellaneous" as work in the School of Arts is to be confined to what is required for educational purposes and large orders will not be taken. A fall is also anticipated in the number of candidates appearing for teachers' certificate examinations, the fees for which are credited under this minor head.

EXPENDITURE.—The special assignments from Imperial funds for University and Collegiate education will have amounted to 3·85 * up to the end of 1907–1908. The expenditure incurred against these grants has been ·05 in 1904–1905 and ·21 in 1905–1906, and it is expected that ·25 will be spent in 1906–1907. In the budget estimate for 1907–1908 a provision of 2 has been entered for grants in this connection. The details have not yet been settled finally.

* 1904–1905	·70
1905–1906	1·05
1906–1907	1·05
1907–1908	1·05
	3·85

Revised Estimate, 1906–1907.—The special allotment of 6 for primary education which was included under this head in the budget estimate has been transferred during the year to the LOCAL estimates for expenditure on the establishment and equipment of the schools opened in April 1906 and on buildings completed in 1906–1907. Of the budget grant of 8·56 for 1906–1907 under the head "Grants-in-aid", 1·25 for grants-in-aid of elementary schools which are now paid through Local boards have also been transferred to the LOCAL estimates. After taking into account these two transfers, the revised estimate for 1906–1907 is almost the same as the budget estimate. There have, however, been slight savings under some minor heads counterbalanced by increases under others.

The short expenditure under "Direction" is due to the absence of the permanent Director on leave out of India.

The savings in the salaries of Sub-Assistant Inspectors have been higher than the amount for which the budget took credit. This accounts for the decrease under "Inspection". The charges on account of the establishment for teachers' certificate examinations, which has been amalgamated with the establishment of the Inspector of European and Training schools, are shown under this head for a portion of 1906–1907.

Under "Government Colleges—General" the saving anticipated in the budget by the absence of officers on leave has been reduced in the revised.

Under "Government Colleges—Professional" the excess is chiefly under stipends in training colleges, partly counterbalanced by savings arising from the absence on leave of the Principal of the Law College at Madras.

The lapse under "Government Schools—Special" occurs mainly in training schools for masters and in training schools for mistresses. The fall in the revised as compared with the actuals of 1905–1906 is due to the amalgamation of the School of Engineering with the College department and to the transfer of the charges connected with the officer employed on the development of technical education to which reference has already been made.

"Grants-in-aid"—Besides the 1·25 transferred from this head to the LOCAL estimates as mentioned above, contributions to municipal funds which were shown under this head in the budget estimate for 1906–1907 have been transferred to the head "Miscellaneous" under this major head. The revised estimate under "Grants-in-aid" includes the annual grant of 40 sanctioned by the Government of India in aid of European and Eurasian education.

The inclusion of contributions to municipal funds and the exclusion of charges in connection with teachers' certificate examinations referred to above explain the variations under "Miscellaneous".

Budget Estimate, 1907–1908.—The total budget allotment is below the grant for 1906–1907, but an additional provision of 6·92 on account of education has been entered under the major head "ADJUSTING HEADS—Contributions from Provincial to Local". Of this 6·92, 5 represent the amount to be placed at the disposal of local bodies from the special grant of 6 for primary education and the remaining 1·92 are intended to meet the grants-in-aid of elementary schools which are now paid through

local boards. The balance of the special grant of 6 is retained in the Provincia section for meeting the cost of schemes connected with the advancement of primary education.

The increase in the budget estimate for 1907-1908 under "Direction" is due to provision for an officer on special duty in connection with the next quinquennial report on Education.

Provision for charges for a full year on account of teachers' certificate examinations, the accrual of increments, smaller savings expected under salaries, and a larger allotment under travelling allowance and contingencies, account for the increase under "Inspection". A grant of ·05 has been entered for the purchase of magic lantern apparatus with the view of promoting among school children a knowledge of the conditions of foreign countries.

The increase under "Government Schools—General" is due mainly to personal allowances for teachers in girls' schools and to an enhanced provision for the Breek's Memorial High school at Ootacamund.

Under "Government Schools—Special," a lump allotment has been entered for a scheme for the reorganization of training schools for primary teachers.

The budget under "Grants-in-aid" includes the annual grant of ·40 for European education. In addition to the allotments under this head, ·50 has been provided under "Miscellaneous" for contributions to municipalities and 1·92 under the major head "ADJUSTING HEADS—Contributions from Provincial to Local" for grants-in-aid of elementary schools now paid through local boards.

XX. MEDICAL—24.

—	Budget estimate, 1907-1908.	Revised estimate, 1906-1907.	Budget estimate, 1906-1907.	Accounts.		
				1905-1906.	1904-1905.	1903-1904.
REVENUE—						
Medical School and College fees.	·32	·31	·35	·31	·32	·25
Hospital receipts	·27	·28	·27	·22	·29	·27
Lunatic Asylum receipts ..	·17	·17	·20	·16	·18	·21
Contributions ..	·33	·37	·35	·36	·43	·36
Miscellaneous	·12	·14	·09	·09	·09	·04
	1·21	1·27	1·26	1·14	1·31	1·13
EXPENDITURE—						
Medical establishment ..	4·84	5·55	5·52	5·33	5·34	4·90
Hospitals and dispensaries.	4·49	4·10	4·10	4·16	4·00	3·99
Sanitation and vaccination.	2·09	1·82	1·85	1·72	1·63	·82
Grants for medical purposes.	2·11	1·37	1·45	1·59	1·12	·99
Medical School and College.	2·47	2·41	2·47	2·28	2·19	2·11
Lunatic Asylums	1·03	·96	·97	·94	·92	·89
Chemical Examiner ..	·31	·33	·31	·29	·28	·31
Refunds	·01	·01	·01	·01	·02	..
Total ..	17·35	16·55	16·68	16·32	15·50	14·01

REVENUE.—The fall in the revised estimate for 1906-1907 and in the budget estimate for 1907-1908 under the first minor head is due to a drop in the fees realized in the medical schools and the medical college and to a smaller attendance than was anticipated at the classes in minor sanitary engineering and in vaccination which are conducted at the King Institute of Preventive Medicine at Guindy.

Recoveries from municipalities on account of medical services are shown under the minor head "Contributions" in this major head, similar recoveries from district boards being credited under the major head "ADJUSTING HEADS—Contributions from Local to Provincial". Recoveries from local bodies in connection with expenditure

on the medical college and on sanitary inspection ceased with effect from the 1st April 1904. Contributions towards the expenditure on these services incurred in 1903–1904 were credited in the accounts of 1904–1905.

On the establishment of the Central Vaccine Institute in this Presidency it was decided that the cost of the buildings and apparatus should be recovered from district boards and municipal councils, the amount due by each body being calculated with reference to its receipts for the preceding year, no recovery being made on account of interest on the capital cost. The remaining charges of the Institute, viz., the cost of staff, calves, repairs to buildings, are recovered in proportion to the quantity of lymph supplied to each body, the proportionate cost of the quantity of lymph supplied to Government officers and to customers outside the Presidency being excluded from the total expenditure. The receipts for 1904–1905 and subsequent years under the minor head "Contributions" include these recoveries from municipalities. A total outlay of 1·13 was incurred up to the 30th September 1906 on buildings and apparatus and of this outlay ·75 was recovered from local bodies up to the end of 1905–1906, and credit has been taken for a further recovery of ·36 in the revised estimate for 1906–1907. Of the latter amount municipalities contribute ·09. The budget estimate for 1907–1908 takes credit for the balance to be recovered and also for the share to be borne by local bodies of the cost of additional buildings under construction at the Institute.

The revised estimate for 1906–1907 and the budget estimate for 1907–1908 under "Miscellaneous" include the sale-proceeds of calves at the King Institute.

EXPENDITURE.—As a result of recent alterations in the scale and the method of debit of the pay of medical officers performing professorial duties in the Medical College at Madras, provision for the salaries of four medical officers in the General hospital, one of whom has hitherto been shown under "Medical Establishment" and the remaining three under "Medical School and College", has been transferred in the budget estimate for 1907–1908 to "Hospitals and Dispensaries", and the salaries of the Surgeons of the second and third Presidency districts hitherto included under "Medical Establishment" have been exhibited under the head "Medical School and College".

The budget estimate for 1907–1908 under "Sanitation and Vaccination" follows the revised estimate and includes in addition (*a*) a lump provision of ·05 for further strengthening the staff of Deputy Inspectors of Vaccination and (*b*) an allotment for the proposed appointment of an Assistant Superintendent in the Vaccine section of the King Institute—a post which it is intended should be held by a junior commissioned medical officer, the existing post of Deputy Superintendent held by a Military Assistant Surgeon being abolished.

The saving in the revised estimate under "Grants for Medical purposes" is due to the lump provision on account of the South Indian Pasteur Institute at Coonoor being only partially utilized. The budget estimate for 1907–1908 under this minor head includes ·50 under "Expenses in connection with plague" for the purchase of Clayton's disinfecting machines for use at ports, and ·40 on account of the Pasteur Institute at Coonoor.

The buildings and equipment of the Pasteur Institute have been completed with the exception of a few minor items, and a committee for managing its affairs has been appointed. It is hoped that the Institute will be in full working order early in 1907–1908. In order to enable the committee to start working, the budget estimate contemplates a lump grant of ·15 from Provincial funds.

The revised estimate for 1906–1907 under "Medical School and College" includes provision for the payment of arrears under the revised rates of pay sanctioned for medical officers occupying professorial appointments in the Madras Medical College, but this excess is more than counterbalanced by the savings anticipated under "Stipends to Madras-Burmese Hospital Assistant pupils" and "Instruments, Chemicals, etc., for Medical schools", the allotments for which items were over-estimated in the budget.

Owing to the transfer of lunatics from Ceylon to Madras a larger provision on account of diet of patients has been made in the budget for 1907–1908 under "Lunatic Asylums".

POLITICAL—25.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Actuals.		
				1905–1906.	1904–1905.	1903–1904.
EXPENDITURE—						
Political Agents	·78	·82	·77	·76	·80	·80

The figures from 1905–1906 onwards include the pay of the Assistant Political Agent administering the Banganapalle State. The salary of this officer and the charges of his establishment are met in the first instance from Provincial funds, being debited under this head, and are subsequently recovered from the State along with pensionary contribution, the recoveries being taken in deduction of the charges. The excess in the revised estimate for 1906–1907 is due to the grant of privilege leave to the Resident in Travancore and Cochin.

XXI. SCIENTIFIC AND OTHER MINOR DEPARTMENTS—26.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts.		
				1905–1906.	1904–1905.	1903–1904.
REVENUE—						
Botanical and other public garden receipts	·05	·06	·05	·06	·05	·07
Veterinary and stallion receipts ..	·07	·08	·05	·07	·06	·03
Cinchona plantations	2·30	2·72	2·70	2·40	2·76	2·42
Receipts on account of experimental cultivation	·20	·17	·15	·07	·06	·02
Emigration fees	·18	·18	·18	·25	·22	·12
Inland labour transport fees ..	·01	·01	·01	·01	·01	·01
Examination fees	·73	·76	·75	·86	1·84	1·61
Miscellaneous	·70	·57	·70	·56	·27	3·28
Total ..	4·24	4·55	4·59	4·28	5·27	7·56
EXPENDITURE—						
Botanical survey	..	..	..	·26	·27	·23
Exploration of petroleum, coal and minerals	..	..	..	..	..	..
Archæological department ..	·38	·35	·36	·31	·36	·40
Provincial museums	·41	·38	·43	·37	·66	·38
Imperial Institute	·01	..	·01	..	..	..
Donations to scientific societies ..	·02	·03	·02	..	·03	·03
Bacteriology	27	·32	·25	·32	·16	·24
Experimental cultivation ..	2·91	2·14	3·40	2·26	·43	·27
Cinchona plantations	2·14	1·99	2·29	1·83	2·08	2·29
Public exhibitions and fairs ..	·02	·02	·02	·01	..	·15
Veterinary and stallion charges ..	·82	·60	·66	·47	·37	·25
Botanical and other public gardens	·42	·33	·39	·34	·46	·32
Emigration	·15	·15	·15	·15	·15	·15
Inland labour transport	..	..	..	..	..	..
Inspector of Factories	·07	·06	·07	·06	·07	
Gazetteer and Statistical Memoirs.	..	·37	·36	·25	·43	·06
Registration of Railway Traffic ..	·07	·07	·07	·07	·07	·38
Provincial statistics	·15	·13	·17	·14	·15	·07
Preservation and translation of ancient manuscripts	..	..	..	..	..	·15
Examinations	·60	·70	·69	·89	1·40	1·34
Registrar of Co-operative Credit Societies	·37	·31	·29	·24	·13	..
Miscellaneous	1·68	1·17	1·58	·97	·45	1·37
Refunds	·01	·01	·01	·01	·01	·01
Total, Provincial .	10·50	9·13	11·22	8·95	7·68	8·09

As explained in the memorandum issued last year the revenue and expenditure under this head in 1903–1904 included transactions connected with the aluminium industry in the School of Arts which was transferred to the Indian Aluminium Company in that year.

"Farm and other receipts" of the College of Agriculture have, with effect from the 1st April 1906, been credited to the minor head "Receipts on account of experimental cultivation" under the present major head instead of to the head "XIX. EDUCATION" as was formerly the case; while the receipts from the carpentry and miscellaneous (metal-work, etc.) departments of the School of Arts, previously included under the minor head "Miscellaneous" under this major head, have with effect from the same date been transferred to the head "XIX. EDUCATION".

The charges on account of the Deputy Director of Agriculture and his establishment, of the Government Botanist and his establishment and of the Agricultural College, which appeared formerly under the minor heads 3. LAND RECORDS AND AGRICULTURE, 26. BOTANICAL SURVEY and 22. GOVERNMENT COLLEGES—PROFESSIONAL, respectively, have with effect from the 1st April 1906 been shown under the minor head "Experimental Cultivation" in the present major head.

REVENUE.—The receipts under "Cinchona plantations" have been influenced during 1906–1907 by a reduction in the price of Howard's quinine, which regulates the price charged to medical depots, and in the rate charged for quinine supplied to Native States. The quantity of quinine supplied has, however, been larger than was anticipated in the budget for 1906–1907.

With the extension of existing agricultural stations and the opening of new farms, "Receipts on account of Experimental Cultivation" have improved.

The abolition of the primary examination and the lower secondary examination in 1905–1906 explains the fall under "Examination fees".

The principal items comprised under the head "Miscellaneous" are receipts from the Weaving and Chrome Tanning departments. The new methods of weaving started at Salem have been received by the weaving community with indifference and there has been some delay in obtaining machinery from England. Consequently a large decrease is anticipated under "Weaving department" in the revised estimate for 1906–1907.

EXPENDITURE.—Under "Provincial Museums" a special charge was incurred in 1904–1905 on account of the purchase of coins and prehistoric collections. The lapse in the budget estimate for 1906–1907 under this head is due to the non-utilization of the lump provision for the marine aquarium on the marina at Madras, the building for which has been almost completed.

The actuals of 1905–1906 under "Bacteriology" included the payment of arrear salary to the Superintendent of the King Institute of Preventive Medicine, the purchase of additional scientific apparatus and material for that Institute and the cost of the deputation of an officer on special duty there. The last cause has also contributed to the excess in the revised estimate over the budget allotment for 1906–1907.

"Experimental Cultivation".—For the development of the agricultural department and the veterinary department the Government of India sanctioned in 1905–1906 an additional assignment to Provincial of 1·50 which has been increased to 3 from 1906–1907 onwards. In 1905–1906 expenditure was incurred on the acquisition of land for, and on the equipment of, the Central Agricultural Farm and Teaching and Research Institute at Coimbatore; on the acquisition of sites for farms at Samalkot, Talipparamba and Palur; on starting the farm at Hagari and on improvements to the farm at Koilpatti. In addition to the outlay booked under this major head a sum of ·51 was expended on buildings and works at experimental farms under the head 45. CIVIL WORKS—PUBLIC WORKS DEPARTMENT. The budget estimate for 1906–1907 included provision for a full year on account of the following new appointments:—(a) a full-time Director of Agriculture, (b) an agricultural expert to be Principal of the new Agricultural College and Research Institute at Coimbatore, (c) an Agricultural Chemist, and (d) a second Deputy Director of Agriculture. It was not practicable to fill the first three posts until the latter part of the year and the fourth is still vacant. These facts and the non-utilization of a portion of the lump provision for the extension and improvement of existing farms and for the establishment and maintenance

of new farms have caused the lapse on the budget grant, but from this grant a sum of ·25 was transferred during the year to the head 45. CIVIL WORKS for expenditure by the Public Works department on works connected with farms.

The Agricultural department has now been placed under the immediate control of a Director of Agriculture who, subject to the general supervision and control of the Board of Revenue, will regulate the work of the several agricultural experts and will deal with all matters relating to agriculture proper, including agricultural education. The budget estimate for 1907–1908 contains provision for this appointment and for the requisite office establishment; for the three agricultural experts who have been appointed, viz., the Principal of the Research Institute and Superintendent of the Central Farm, the Agricultural Chemist and the Deputy Director of Agriculture; for the post of second Deputy Director of Agriculture, the creation of which has been sanctioned recently and for two Assistant Deputy Directors of Agriculture. The work of organizing the Central Farm is in progress and the farm will be gradually extended and improved. The construction of buildings for the Agricultural Institute at Coimbatore at a total estimated cost of 5·63 has recently been taken in hand. It is expected that an outlay of about 2 will be incurred in 1906–1907 under the head 45. CIVIL WORKS and a further sum of 3 has been allotted under the same head for expenditure in 1907–1908.

There are at present nine experimental farms, besides the Central Farm at Coimbatore, and it is in contemplation to open two more farms in the course of 1907–1908. Under the advice of the Cryptogamic Botanist to the Government of India operations are also being conducted and will be continued during 1907–1908 in order to eradicate, or prevent the spread of, the fungus disease which is affecting palmyra trees in the Gódávari district. It is also intended to incur further outlay on the extension of an agave plantation which has been started at Hindupur in the Anantapur district.

The scheme for the development of the Civil Veterinary department in this Presidency will entail an initial expenditure of about 2 and an ultimate recurring expenditure of about 1·75, but no provision has been made therefor in the budget estimate for 1907–1908 owing to the difficulty of recruiting the required number of Veterinary Assistants and Veterinary Inspectors. The budget estimate under "Veterinary and Stallion charges" provides, however, for the training of an increased number of students in the Veterinary College at Madras and for the opening of ten Veterinary dispensaries in addition to the existing dispensary at Rajahmundry.

The actuals for 1904–1905 under "Botanical and other public gardens" included a special grant of ·10 for improving the zoological collections in the People's Park at Madras. The lapse on the budget estimate for 1906–1907 occurs in the working expenses of the Government gardens and parks on the Nilgiris.

The special duty of Mr. W. Francis, I.C.S., on the revision of the District Manuals of the Presidency terminated on the 28th February 1907. There is therefore no provision under the head "Gazetteer and Statistical memoirs" in the budget estimate of 1907–1908.

Under "Examinations" the variations in the figures are consequent on the abolition of the primary and lower secondary examinations to which reference has been made above.

The rise in the revised estimate for 1906–1907 and in the budget estimate for 1907–1908 under "Registrar of Co-operative Credit Societies" is due to the higher salary now drawn by the Registrar and the contemplated appointment of a second Deputy Collector to work under him.

The lapse in the budget estimate for 1906–1907 under "Miscellaneous" is consequent mainly on the ill-success which has so far attended the efforts to introduce new methods of weaving, to which allusion has already been made. The budget for 1907–1908 under this head contains allotments for the recently sanctioned appointment of Director of Industrial and Technical Enquiries and his establishment and for the experiments in industrial development now being conducted by that officer. It is intended to expand the chrome-tanning industry and transfer it from the School of Arts, where it has hitherto been conducted, to a separate tannery at Perambur. Allotments have been made for this purpose and for the purchase of plant, machinery and materials.

XXII. Superannuation, Retired and Compassionate Allowances—29.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts.		
				1905–1906.	1904–1905.	1903–1904.
Revenue	·39	·39	·38	·44	·45	·70
Expenditure	22·34	21·26	21·62	20·69	19·53	18·44

Revenue.—With effect from 1904–1905 pensionary contributions on account of persons employed under District Boards, which were formerly credited to this head, have been shown under the major head Adjusting Heads. The accounts of 1905–1906 and the revised estimate for 1906–1907 include contributions on behalf of officers of the Public Works department employed under the Madras Port Trust Board. The budget estimate for 1907–1908 has been based on the revised estimate for the previous year.

Expenditure.—The budget estimate for 1907–1908 provides for the normal expansion of the pension list. These estimates are prepared by deducting the lapsed pensions (including transfers) from, and adding the new pensions to, the estimate for the current year.

XXIII. Stationery and Printing—30.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts.		
				1905–1906.	1904–1905.	1903–1904.
Revenue—						
Stationery receipts	·07	·07	·07	·07	·07	·16
Sale of gazettes and other publications	·57	·58	·58	·54	·56	·57
Other press receipts	·32	·30	·30	·35	·30	·32
Total ..	·96	·95	·95	·96	·93	1·05
Expenditure—						
Stationery office at the Presidency.	·42	·41	·43	·41	·47	·45
Stationery purchased in the country.	·06	·05	·05	·05	·04	·05
Government presses	4·60	4·77	4·67	4·05	3·87	4·03
Printing at Private presses ..	·30	·56	·63	·96	1·47	·83
Stationery supplied from Central Stores	7·06	6·76	6·74	6·84	5·61	6·28
Refunds	..	..	·01	..	..	..
Total ..	12·44	12·55	12·53	12·31	11·46	11·64

Revenue.—Receipts on account of stationery supplied to the University, the Court of Wards, the Madras Port Trust Board, Port funds, Railways and Municipalities, which were treated as Provincial receipts prior to the 1st April 1904, have since that date been shown as Imperial. This accounts for the high actuals against the first minor head in 1903–1904. Enhanced receipts are expected under the third minor head in 1907–1908 from private work done by Government and Jail presses.

Expenditure.—The actuals of 1904–1905 under the first minor head were unusually high under carriage of stationery.

The strike which occurred at the Government Press in 1904–1905 raised the expenditure in that year under the head "Printing at Private Presses", and reduced that under "Government Presses". In 1905–1906 the expenditure under the latter head was increased by the supply of machinery of the latest patterns and by the opening of a branch of the Government Press at Ootacamund. The revised estimate includes additional expenditure on materials, stock and machinery for the Government

Press and also provides for the printing of settlement registers and the printing work of the Police department which have hitherto been entrusted to private presses.

The transfer to the Government Press of this printing work and the fact that the Branch Press at Ootacamund now undertakes work for offices permanently stationed there and for the Nilgiris Collectorate account for the decrease under "Printing at Private Presses".

The allotment for 1907–1908 under "Stationery supplied from Central Stores" provides for larger demands for stationery following on the general increase of work.

XXV. Miscellaneous—32.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts. 1905–1906.	1904–1905.	1903–1904.
Revenue—						
Unclaimed deposits	·85	·83	·80	·83	1·00	·74
Treasure trove	·01	·02	·01	·02	·01	·01
Sale of old stores and materials ..	·02	·02	·02	·02	·02	·02
Sales of lands and houses, etc. ..	..	..	..	..	·04	..
Fees for Government audits ..	·26	·30	·28	·30	·27	·19
Contributions	·86	·91	·93	·88	·87	·75
Miscellaneous fees, fines and forfeitures	·23	·23	·24	·22	·24	·24
Pearl-fishery receipts	·11	·09	·11	·15	·22	·18
Miscellaneous	·07	·07	·07	·14	·12	·07
Recoveries of famine expenditure.	..	·01	..	..	..	..
Total ..	2·41	2·48	2·46	2·56	2·79	2·20
Expenditure—						
Travelling allowances to officers attending examinations	·05	·04	·05	·05	·04	·04
Rewards for proficiency in oriental languages, etc.	·06	·06	·06	·05	·03	·05
Subscriptions to periodicals ..	·18	·18	·16	·18	·15	·16
Cost of books and publications ..	·13	·13	·13	·13	·13	·12
Donations for charitable purposes.	·57	·56	·58	·62	·55	·60
Charges on account of European vagrants	·01	..	·01	..	·01	·01
Rewards for the destruction of wild animals	·16	·15	·15	·16	·15	·14
Petty establishments	·22	·18	·24	·22	·19	·22
Special commissions of enquiry ..	·75	·55	·10	·07	..	..
Charges on account of pearl fishery.	·31	·18	·22	·17	·23	·20
Irrecoverable temporary loans written off	·06	·10	·07	·03	·10	·07
Rents, rates and taxes	·07	·07	·08	·07	·07	·08
Contributions	·52	·44	·57	1·34	1·73	2·28
Miscellaneous and unforeseen charges	·01	·02	·02	·15	·03	·01
Miscellaneous refunds	·01	·01	..	·01	..	..
Total ..	3·11	2·67	2·44	3·25	3·41	3·98

Revenue.—The receipts under the first minor head are of a fluctuating character and vary with the amount of lapses under deposits.

The actuals for 1904–1905 under the head "Sales of lands and houses, etc.," represent the sale-proceeds of the old taluk office and sub-jail building at Tindivanam in the South Arcot district.

The higher figures from 1904–1905 onwards under "Fees for Government audits" are due chiefly to the recovery of charges relating to the establishment in the Accountant-General's office organized in 1902 for the audit of the accounts of estates under the Court of Wards. The other variations are due to the recovery of audit fees in arrears.

The head "Contributions" depends upon the recoveries from mufassal municipalities on account of the controlling establishments in the Local and Municipal department of the Government Secretariat and in the Accountant-General's office.

The prosperous condition of the chank fishery and the collection of fees on account of the hire of pearl-fishery vessels in 1904–1905 swelled the head "Pearl-fishery receipts". The holding of a pearl fishery in Ceylon which attracted local boatmen and divers and the lower prices realized for chanks as a result of the over-stocking of the Calcutta market account for the subsequent drop in the figures under this head.

In 1904–1905 the sale-proceeds of tents procured for the Delhi Darbar and in 1905–1906 a special recovery on account of law charges affected the receipts under the head "Miscellaneous".

The figure shown in the revised estimate for 1906-1907 under "Recoveries of famine expenditure" represents the sale-proceeds of the materials used in the construction of poor-houses in 1905–1906 in the Chingleput district and the value of medical stores returned by the poor-house hospitals.

EXPENDITURE.—The higher figure in 1905–1906 under the head "Donations for charitable purposes" was, as explained in the memorandum issued last year, caused by the inclusion of allotments of (*a*) ·05 to the Young Women's Christian Association, Madras, and (*b*) ·02 to the funds of the Monegar Choultry in order to meet the deficit in the accounts of the choultry.

The lapse on the budget estimate for 1906–1907 under "Petty Establishments" is due to the provision for the purchase of standard weights and measures not having been spent and to smaller establishment charges.

Under the head "Special commissions of enquiry" the revised estimate for 1906–1907 and the budget estimate for 1907–1908 contain provision for three special commissions of enquiry. The first of these is the investigation of the fishery industry now being carried out by Sir Frederick Nicholson, K.C.I.E. A further independent enquiry is being conducted by Mr. H. C. Wilson, a specialist in fish culture, into the causes of the diminution of the stock of indigenous fish in the rivers having their origin in the Nilgiri Hills, and measures to check the indiscriminate slaughter of fish in the upper waters of these rivers and to stock them with suitable species of fish are under consideration. The third enquiry is the examination now being conducted by a committee into the recruitment, distribution and employment of the subordinate Public Works establishments. There is reason to believe that these establishments are not so efficient as they ought to be and that the existing arrangements under which the establishments are distributed and employed might be placed on a more satisfactory and economical basis. All these three enquiries will extend into the year 1907–1908.

A considerable fall in the number of chanks lifted on the Tinnevelly sea coast explains the decrease in the figures for 1905–1906 under the head "Charges on account of pearl fishery," the budget estimate for 1907–1908 under which includes a provision of ·10 for altering and repairing the pearl-fishery steamer "Margarita".

Under "Contributions" the actuals include grants to the extent of 2·21 in 1903–1904 and of 1·66 in 1904–1905 in aid of municipalities whose balances had been depleted by expenditure on plague-preventive measures. The grants so made in 1905–1906 amounted to 1·32. In the budget estimate for 1906–1907 a provision of ·50 was entered for this purpose and this will, it is anticipated, be utilized fully, inclusive of a sum of ·09 transferred to the head 45. CIVIL WORKS. The budget estimate for 1907–1908 contains an allotment of ·50 for the same object.

The unusual expenditure of ·15 in 1905–1906 under "Miscellaneous and unforeseen charges" related to special charges in connection with the visit of His Royal Highness the Prince of Wales to Madras.

FAMINE RELIEF—33.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Actuals. 1905–1906.	1904–1905.	1903–1904.
EXPENDITURE—						
Civil Officers	..	..	3·00	·23	..	..
Public Works Officers ..	..	..	..	·75	..	..
	..	..	3·00	·98	..	..

The actuals of 1905–1906 under "Civil officers" represent chiefly the expenditure on gratuitous relief at the Monegar Choultry, Madras, and at the poor-houses which were temporarily opened in the Chingleput district. Those under "Public Works officers" represent adjustments for the value of tools obtained from England for the Public Works Stores.

A provision of 3 was entered in the budget for 1906–1907 under Civil officers to meet contingencies; but there has been no occasion for expenditure on famine relief in 1906–1907 and, so far as can be foreseen at present, there is no reason to anticipate a famine in 1907–1908.

XXX. MINOR WORKS AND NAVIGATION—43.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts. 1905–1906.	1904–1905.	1903–1904.
REVENUE—						
Civil officers	·14	·11	·11	·14	·13	·08
Public Works officers	1·50	1·50	1·50	1·61	1·55	1·48
Total ..	1·64	1·61	1·61	1·75	1·68	1·56
EXPENDITURE—						
Civil officers	7·50	5·95	6·25	5·81	6·16	5·02
Public Works Officers—						
Minor works, Revenue department.	1·00	·79	·75	·89	·69	·84
Works in charge of Civil officers acting as Public Works disbursers.	·75	1·23	2·28	1·81	1·56	1·08
Works in charge of Public Works officers.	34·25	32·98	31·97	40·22	39·60	38·78
	36·00	35·00	35·00	42·92	41·85	40·70
Total ..	43·50	40·95	41·25	48·73	48·01	45·72

REVENUE—*Civil Officers.*—The receipts under this head consist chiefly of fines levied from ryots under section 6 of the Madras Compulsory Labour Act, 1858, and are fluctuating in character.

Public Works Officers.—The revenue comprises receipts from water-rates, sale of water, canal produce, navigation and rent of buildings and is derived mainly from the Madras water-supply and irrigation extension project, the Buckingham Canal and other similar projects and from ordinary and agricultural works.

EXPENDITURE—*Civil Officers.*—In 1904–1905 special expenditure was incurred on the repair of minor irrigation works mainly in the South Arcot and Cuddapah districts and in the tracts affected by the failure of the north-east monsoon of 1904.

In consequence of the raising from Rs. 1,000 to Rs. 2,500 of the limit for works to be executed and accounted for departmentally, an additional allotment of ·81 has been made to this head during the current year but a lapse on the total altered grant is anticipated as the presence of water in tanks has retarded the execution of minor irrigation works.

The budget estimate for 1907–1908 contemplates a more extensive programme of works, chiefly under repairs and maintenance.

Public Works Officers.—The sum of ·81 to which reference is made above was transferred from the grant for "Works in charge of Civil officers acting as Public Works disbursers". The slow progress on works consequent on the presence of water in tanks has caused a lapse on the grant for this class of works.

The budget estimate for 1906–1907 for works in charge of Public Works officers was supplemented during the year by a special grant of 5 sanctioned by the Government of India for expenditure on tank restoration works and by additional grants of 2·08 sanctioned by the local Government. The total grant was thus raised to 39·05. The unfavourable character of the season for work and unavoidable delay in obtaining the requisite establishment for tank restoration works are responsible for the lapse on the enhanced grant.

XXXII. Civil Works—45.

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts.		
				1905–1906.	1904–1905.	1903–1904.
Revenue—						
Civil officers	·08	·09	·08	·09	·11	·11
Public Works officers	1·65	1·65	1·65	1·70	1·60	1·66
Total ..	1·73	1·74	1·73	1·79	1·71	1·77
Expenditure—						
Civil officers	5·53	10·37	11·15	11·14	8·83	1·84
Public Works Officers—						
Civil officers acting as Public Works disbursers.	3·00	2·19	2·47	1·35	1·63	1·50
Grants for Municipal works—Public Works department.	6·50	2·42	4·00	1·66	1·18	1·26
Works in charge of Public Works officers.	39·85	34·89	38·00	29·42	30·31	28·03
	49·35	39·50	44·47	32·43	33·12	30·79
Total ..	54·88	49·87	55·62	43·57	41·95	32·63

Revenue.—The figures do not call for any special remarks.

Expenditure—*Civil Officers.*—The accounts for 1905–1906 included the second instalment of the Imperial contribution of 20 to the Madras Port Trust Board for harbour improvements, a grant-in-aid of 3 to the Madras Corporation for sewerage and drainage works, a grant of ·10 to the Madras Port Fund for expenditure in connection with the visit of His Royal Highness the Prince of Wales, and a contribution of ·40 to the Bellary municipality being the amount which that body failed to draw out of a grant of ·50 sanctioned in 1904–1905 for the construction of a hospital.

The budget estimate for 1906–1907 contained the following main allotments—(*a*) ·91 for works executed in previous years from the Ryotwari Village Service fund which was abolished from the 1st April 1906; (*b*) a further grant of 3 for sewerage and drainage works in Madras; and (*c*) the balance, viz., 6·74, of the Imperial contribution of 20 to the Madras Port Trust Board for harbour improvements. The grants

referred to in (*b*) and (*c*) have been disbursed, while the allotment of ·91 for (*a*) has been transferred to the major head 3. LAND REVENUE. The revised estimate for 1906–1907 includes a special contribution of ·08 to the municipal council of Masulipatam to meet the cost of filling up insanitary low places in Government lands within municipal limits.

The main sub-heads of the budget estimate for 1907–1908 are (*a*) Agency Works in Ganjám, Vizagapatam and Gódávari—·39, and (*b*) Miscellaneous Public Improvements—5·13. The second provision includes a further grant of 5 to the Madras Corporation for sewerage and drainage works. The total grant to the Corporation for the three years ending 1907–1908 will thus be 11.

Public Works Officers.—The head "Civil officers acting as Public Works disburses," comprises allotments for public works costing more than Rs. 2,500 each which are carried out departmentally, except in the Forest and Salt departments; while water-supply and drainage works in municipalities which are executed by the Public Works department are shown under the second sub-head.

The budget estimate for 1906–1907 under the sub-head "Civil officers acting as Public Works disbursers" contemplated larger outlay on works of the Police and Jail departments. It has not been practicable, however, to spend these allotments fully owing to the absence of sanctioned plans and estimates, but the lapses arising from this cause have been counterbalanced partly by expenditure on works connected with experimental farms, etc., for which the budget made no provision. The increase in the estimate for 1907–1908 is due to an enhanced grant for police works and a larger allotment for incomplete works.

The lapse on the budget grant for 1906–1907 under "Grants for Municipal works" is caused mainly by the utilization of only a portion of the grants for the Ootacamund drainage and Nellore water-supply works. The principal allotments contemplated in the budget for 1907–1908 are :—

Ootacamund drainage	1·55
Madura "	1·00
Coimbatore water-supply	1·00
Salem "	1·00
Tuticorin "	·75
Nellore "	·70

The budget estimate for 1906–1907 under the third sub-head included the following special allotments :—

(*a*) Central Record office in Madras	2·00
(*b*) Central Farm and Teaching and Research Institute at Coimbatore.	2·77
(*c*) Construction of a bridge over the Kolab river in the Vizagapatam district	1·23

A major portion of the allotments for (*a*) and (*b*) will be spent, while the provision for the third item has lapsed. This latter provision has, however, been repeated in the budget estimate for 1907-1908 which also contains further allotments for the Central Record office and the Central Farm and Teaching Institute. A lump sum of 2 has also been reserved for expenditure on police works over and above the normal allotment.

CONTRIBUTIONS.

—	Budget estimate, 1907-1908.	Revised estimate, 1906-1907.	Budget estimate, 1906-1907.	Accounts.		
				1905-1906.	1904-1905.	1903-1904.
REVENUE—						
Contributions from Local Funds..	4·38	4·95	4·95	4·72	3·53	2·73
EXPENDITURE—						
Contributions to Local Funds ..	26·95	28·11	20·18	26·32	7·33	8·76

The details are given in the following statement :—

—	Budget estimate, 1907–1908.	Revised estimate, 1906–1907.	Budget estimate, 1906–1907.	Accounts. 1905–1906.	Accounts. 1904–1905.	Accounts. 1903–1904.
REVENUE.						
CONTRIBUTIONS FROM LOCAL TO PROVINCIAL FUNDS.						
A. From Local Funds (Act V of 1884.)	RS.	RS.	RS.	RS.	RS.	RS.
1. Education	500	300	..	31	..	1,070
2. Pay, etc., of Local Fund Audit establishments.						
3. Taluk Local Fund gumastahs in Gódávari, Tanjore and Tinnevelly	77,200	70,000	72,400	48,947	38,850	32,349 5,017
4. Proportionate cost of Medical College ..	..	..	..	..	7,891	6,422
5. Proportionate cost of sanitary inspection and vaccine agencies	..	..	..	..	22,088	25,275
6. Reserve medical staff	13,000	13,000	15,200	10,672	11,592	19,137
7. Vaccine section of the King Institute of Preventive Medicine—buildings and apparatus.	1,400	27,000	16,550			
8. Vaccine section of the King Institute—Working expenses	44,800	36,000	45,700	57,071	28,690	..
9. Controlling and account establishments in the Local and Municipal department of the Secretariat.						
10. Controlling and account establishments in the Accountant-General's office.	90,000	81,200	80,000	80,490	76,690	79,980
11. Printing work at Government Presses ..	7,000	7,000	5,500	8,146	5,216	5,959
12. Public Works	40,000	60,000	50,000	71,803	46,136	23,814
13. Block survey and classification of inam villages under Local boards	18,000	..	..	7,757	13,020	31,318
14. Contribution towards services of Government servants			6,840	9,665		
Contribution on account of pensions of Local Fund servants..	38,000	35,000	29,950	26,658	39,319	..
Contribution on account of pensions of Sanitary Assistants to District Medical and Sanitary officers	..		660	..	..	..
15. Contingencies and travelling allowances of Deputy Inspectors of Vaccination employed in Local Fund areas	23,000	21,500	24,000	20,560	18,538	..
16. Repayment of contributions to cover deficits ..	..	..	7,700	..	..	6
	3,52,900		3,54,500			
Add for rounding ..	+ 100		+ 500			
Total ..	3,53,000	3,51,000	3,55,000	3,41,800	3,08,030	2,30,347
B. From Special Funds.						
17. Ryotwari Village Service Fund..	..	..	..	44,547	44,108	42,380
18. Bhadrachalam Estates' Village Service Fund	14	14	..	..	..	..
19. Proprietary Estates Village Service Fund ..	84,817	1,43,346	1,39,280	83,641	513	539
20. Irrigation Cess Fund	140	640	1,133	2,112	128	96
	84,971	1,44,000	1,40,413	1,30,300	44,749	43,015
Add or *deduct* for rounding ..	+ 29		— 413			
	85,000		1,40,000			
Grand Total ..	4,38,000	4,95,000	4,95,000	4,72,100	3,52,779	2,73,362
EXPENDITURE.						
CONTRIBUTIONS FROM PROVINCIAL TO LOCAL.						
A. To Local Funds (Act V of 1884.)						
1. Public Works	1,09,000	1,50,000	97,700	2,14,873	1,33,285	3,02,882
2. Grant-in-aid of district boards	14,00,000	13,14,000	13,14,000	13,67,528		
3. Education (Grants-in-aid)	10,64,000	11,74,000	3,72,000	9,12,789	3,70,350	3,89,104
4. Education (subsidy to district boards)						
5. Medical purposes (hospitals and dispensaries and one-eighth pay of Medical subordinates).	54,000	5,000	55,000	52,877	56,555	52,424
6. Sanitation and general purposes	50,000	1,50,000	1,46,000	44,668	1,46,202	1,81,979
7. Native choultries	13,000	13,000	13,000	13,016	13,217	13,152
8. For wiping off deficits	..	..	20,000	23,000	13,548	..
9. Refunds	..	..	..	..	..	187
Total ..	26,90,000	28,06,000	20,17,700	26,28,751	7,33,157	8,75,776
B. To Special Funds.						
10. Irrigation Cess Fund	5,320	5,000	..	3,374	..	..
	26,95,320		20,17,700			
Add or *deduct* for rounding ..	— 320		+ 300			
Grand total ..	26,95,000	28,11,000	20,18,000	26,32,125	7,33,157	8,75,776

REVENUE.—The amounts shown against item 1 "Education" represent refunds of unspent contributions from Provincial funds.

Items 2 *and* 3 relate to Provincial establishments maintained on account of local funds and include contributions from district boards towards the cost of the combined Local Fund Audit and Account establishments in Collectors' offices.

District boards have since the 1st April 1904 been relieved of contributions towards the expenditure incurred on the medical college (item 4) and on sanitary inspection and vaccine agencies (item 5).

The recovery under item 6 "Reserve Medical Staff" is the share borne by district boards of the total cost of the reserve staff of medical subordinates which is apportioned between Provincial, Local and Municipal funds at the end of each year in proportion to the total sums paid in that year by each of those funds to medical subordinates serving under them.

Items 7 *and* 8.—The nature of these recoveries is explained under the head MEDICAL.

Under item 12 "Public Works" are credited the net proceeds of tolls levied by the district boards on roads maintained from Provincial funds in the Nilgiris and in Malabar as also contributions towards works the cost of which is debitable to Provincial and Local funds jointly. In the latter case the charges are borne wholly by Provincial in the first instance and the share of the cost borne by Local funds is recovered in the form of a contribution under this head.

Item 13, which is temporary and special, represents the recovery of expenditure incurred in the first instance from Provincial funds on the block survey and classification of whole inam villages carried out by the Survey department. The recoveries anticipated in 1907–1908 are on account of the survey and settlement of whole inam villages in the Guntúr and Trichinopoly districts and of the printing of survey and settlement registers of whole inam villages in the Tanjore and Trichinopoly districts.

Item 15.—The pay and allowances of Deputy Inspectors of Vaccination were provincialized with effect from the 1st April 1904, but it was decided that the travelling allowance and contingencies of these officers, being a legitimate charge on Local funds, should, although debited to Provincial funds in the first instance, be recovered subsequently from Local funds. Provision for expenditure on account of these items is made under the head 24. MEDICAL—SANITATION AND VACCINATION.

Item 17.—The Ryotwari Village Service fund was abolished from the 1st April 1906.

Item 18.—The Bhadráchalam Estates' Village Service fund took the place of the Bhadráchalam and Rékapalle Road fund which ceased to exist as such in 1901. To this fund are credited the amounts levied from the proprietors in the Bhadráchalam taluk on account of the emoluments of village officers and the amounts deducted at the rate of one anna in the rupee on the land revenue demand under Ryotwari—Miscellaneous. This cess is practically the same as the village-cess levied previous to 1901.

Item 19.—The repayment to Provincial funds of the cost of enfranchisement operations under the Madras Proprietary Estates Village Service Act, 1894, depends upon the balance of each district fund at the close of the year.

Item 20.—The revised estimate for 1906–1907 includes the balance of ·005 recovered from the Irrigation Cess fund in Salem in repayment of a temporary grant of ·025 made from Provincial funds.

EXPENDITURE—*Item* 1 represents contributions from Provincial funds for public works in special tracts, the cost of which district boards are unable to provide.

Item 2 relates to the recurring special grant of 14 made by the Government of India with effect from 1905–1906 to augment the resources of district boards. The assignment to Provincial funds is made through the LAND REVENUE head.

Items 3 *and* 4.—The revised estimate for 1906–1907 includes the special grant of 6 for primary education, for which the Government of India make an equivalent assignment to Provincial, and a further allotment of 2·05 representing grants for elementary schools. These grants were previously paid from Provincial funds direct but the charge is now made debitable to local boards. The budget estimate for 1907–1908 includes 5 out of the special grant of 6 for primary education and a sum of 1·92 for meeting grants to elementary schools.

Item 5 comprises two main contributions, viz., (*a*) Provincial contributions to local fund hospitals and dispensaries and (*b*) Provincial contributions (as a rule, one-eighth) towards the pay of medical subordinates in the employ of district boards.

It has been the custom to take the contributions to local boards on account of medical subordinates at one-eighth of the charges for these officers as shown in the revised estimate for the year, increased or diminished by the difference between the one-eighth of the revised estimate and of the actuals of the previous year. This procedure necessitated a double calculation and it has been decided to adjust these contributions after the actuals of each year have been ascertained. No recoveries will thus fall due in 1906–1907 except the small sum of ·05 in correction of adjustments in the accounts of 1905–1906.

Item 6—*Contribution for sanitary and general purposes.*—The principal item is the grant to the district board of the Nilgiris made for many years past in consideration of the peculiar circumstances of that district. The budget estimate and the revised estimate for 1906–1907 include ·86 out of the special grant of 14 in aid of the resources of the district boards.

Item 7—*Native choultries.*—These are grants from Provincial funds to certain district boards in lieu of lands originally assigned for the upkeep of choultries by their founders and subsequently resumed by Government.

Item 10.—The actuals for 1905–1906 include temporary grants from Provincial of ·025 to the Irrigation Cess fund in Salem and of ·01 towards the repair of the Vangal channel in Coimbatore. The revised estimate for 1906–1907 and the budget estimate for 1907–1908 include ·05, being the annual contribution which was hitherto received in Coimbatore from the Ryotwari Village Service fund and which was up to last year adjusted under the head "Transfers from Local to Local." Owing to the provincialisation of the Ryotwari Village Service fund this contribution becomes a Provincial charge from 1906–1907.

The remaining items explain themselves and call for no special remarks.

INCORPORATED LOCAL AND SPECIAL FUNDS.

Appendix **B** shows in abstract the accounts and estimates under Incorporated Local and Special funds. The administration reports published annually give in detail the working of the several local boards, their revenue and expenditure.

PROVINCIAL LOAN AND ADVANCE ACCOUNT.

Appendix **C** shows the accounts and estimates under Provincial Loans and Advances.

The unfavourable character of the season in 1905–1906 gave rise to an increased demand for loans under Class I—Advances to cultivators; the advances and recoveries under this class are expected to exceed the budget estimate for 1906–1907 and provision has been made for larger advances in 1907–1908. A Deputy Collector has been placed on special duty in order to encourage well-sinking and to extend and facilitate the grant of loans for the purpose. The question of making the system of State loans more simple, liberal and attractive is also under consideration.

Under Class III—Loans to landholders and notabilities, the outstanding balance of the loan granted to the Banganapalle State in connection with the survey of that state will be liquidated in 1906–1907.

Class IV loans comprise loans to local bodies for the execution of sanitary and other works.

Under loans to municipalities the allotments provided in 1906–1907 for the drainage works of Negapatam and Madura and the water-supply schemes of Periyakulam and Ellore have lapsed as these schemes were not ready for execution.

The budget for 1906–1907 provided for loans of 7 to the district board of Kurnool in connection with the construction of the Kurnool-Dhone railway and of 6 to the district board of Kistna in connection with the Masulipatam-Bezwada railway, but the first allotment has not been utilized as the construction of the Kurnool-Dhone line has been entrusted to other agency.

The budget for 1907–1908 provides 6 for the Masulipatam-Bezwada line.

FORT ST. GEORGE,
26*th March* 1907.

G. S. FORBES.

APPEN

PROVINCIAL ACCOUNTS AND

Heads of Revenue.	Budget Estimate, 1907–1908.	Revised Estimate, 1906–1907.	Budget Estimate, 1906–1907.	Accounts, 1905–1906
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
PRINCIPAL HEADS OF REVENUE.				
I.—Land Revenue—				
Collections	158·16	156·89	154·27	146·42
Adjustments	153·20	161·11	155·59	105·62
IV.—Stamps	51·75	49·50	48·00	46·93
V.—Excise	53·00	51·25	48·25	47·78
VIII.—Assessed Taxes	7·00	6·81	6·75	6·51
IX.—Forest	8·50	8·19	7·72	7·42
X.—Registration	18·10	17·40	16·00	16·69
Total ..	449·71	451·15	436·58	377·37
XII.—Interest	3·31	2·85	3·20	2·32
RECEIPTS BY CIVIL DEPARTMENTS.				
XVI.—Law and Justice—				
A—Courts of Law	7·81	7·46	7·80	7·76
B—Jails	5·47	5·30	5·60	5·39
XVII.—Police—				
Police .. .. } Cattle Pounds	4·38	4·25	4·61	4·78
XIX.—Education	2·17	2·24	2·38	2·29
XX.—Medical	1·21	1·27	1·26	1·14
XXI.—Scientific and other Minor Departments ..	4·24	4·55	4·59	4·28
Total ..	25·28	25·07	26·24	25·64
MISCELLANEOUS.				
XXII.—Receipts in aid of Superannuation, etc. ..	·39	·39	·38	·44
XXIII.—Stationery and Printing	·96	·95	·95	·96
XXV.—Miscellaneous	2·41	2·48	2·46	2·56
Total ..	3·76	3·82	3·79	3·96
IRRIGATION.				
XXX.—Minor Works and Navigation—				
In charge of Civil Officers	·14	·11	·11	·14
,, of Public Works Officers ..	1·50	1·50	1·50	1·61
Total ..	1·64	1·61	1·61	1·75
BUILDINGS AND ROADS.				
XXXII.—Civil Works—				
In charge of Civil Officers	·08	·09	·08	·09
,, of Public Works Officers ..	1·65	1·65	1·65	1·70
Total ..	1·73	1·74	1·73	1·79
CONTRIBUTIONS FROM LOCAL FUNDS ..	4·38	4·95	4·95	4·72
Total Revenue and Receipts ..	489·81	491·19	478·10	417·55
Opening Balance ..	103·26	83·30 *4·79	81·81	81·10
Grand Total ..	593·07	579·28	559·91	498·65

* Adjustment of Ryotwari Village Service Fund balance.

'DIX A.

ESTIMATES—MADRAS.

Heads of Expenditure.	Budget Estimate, 1907–1908.	Revised Estimate, 1906–1907.	Budget Estimate, 1906–1907.	Accounts, 1905–1906.
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
DIRECT DEMANDS ON THE REVENUE.				
1.—Refunds and Drawbacks	·98	·89	·96	1·07
2.—Assignments and Compensations	1·36	1·21	1·26	1·28
Total ..	2·34	2·10	2·22	2·35
CHARGES IN RESPECT OF COLLECTIONS.				
3.—Land Revenue	117·51	113·15	112·85	60·15
5.—Salt	·29	..	..	..
6.—Stamps	1·89	1·89	1·83	1·89
7.—Excise	2·70	2·51	2·57	2·55
9.—Customs	·03	..	..	..
10.—Assessed Taxes	·09	·08	·08	·08
11.—Forest	6·87	6·17	6·37	5·67
12.—Registration	10·10	9·80	9·54	9·47
Total ..	139·48	133·60	133·24	79·81
INTEREST.				
13.—Interest on Ordinary Debt	2·59	2·29	2·61	2·02
SALARIES AND EXPENSES OF CIVIL DEPARTMENTS.				
18.—General Administration	10·79	10·84	10·77	11·60
19.—Law and Justice—				
A—Courts of Law	50·51	50·42	49·87	49·51
B—Jails	13·88	14·15	13·30	13·37
20.—Police—				
Police .. .. } Cattle Pounds .. .. }	65·61	58·00	63·50	51·48
21.—Marine	·15	·17	·16	·15
22.—Education	25·83	22·54	30·03	23·18
24.—Medical	17·35	16·55	16·68	16·32
25.—Political	·78	·82	·77	·76
26.—Scientific and other Minor Departments ..	10·50	9·13	11·22	8·95
Total ..	195·40	182·62	196·30	175·32
MISCELLANEOUS CIVIL CHARGES.				
29.—Superannuation Allowances and Pensions ..	22·34	21·26	21·62	20·69
30.—Stationery and Printing	12·44	12·55	12·53	12·31
32.—Miscellaneous	3·11	2·67	2·44	3·25
33.—Famine Relief	..	..	3·00	·98
Total ..	37·89	36·48	39·59	37·23
FAMINE RELIEF AND INSURANCE.				
36.—Reduction or Avoidance of Debt	2·50	..	..	..
IRRIGATION.				
43.—Minor Works and Navigation—				
In charge of Civil Officers	7·50	5·95	6·25	5·81
" of Public Works Officers	36·00	35·00	35·00	42·92
Total ..	43·50	40·95	41·25	48·73
BUILDINGS AND ROADS.				
45.—Civil Works—				
In charge of Civil Officers	5·53	10·37	11·15	11·14
" of Public Works Officers	49·35	39·50	44·47	32·43
Total ..	54·88	49·87	55·62	43·57
CONTRIBUTIONS TO LOCAL FUNDS ..	26·95	28·11	20·18	26·32
Total Expenditure ..	505·53	476·02	491·01	415·35
Closing Balance ..	87·54	103·26	68·90	83·30
Grand Total ..	593·07	579·28	559·91	498·65
Surplus ..	..	+ 15·17	..	+ 2·20
Deficit ..	— 15·72	..	— 12·91	..

APPENDIX B.

INCORPORATED LOCAL AND SPECIAL FUND ACCOUNTS AND ESTIMATES.

Heads of Revenue.	Budget estimate, 1907–1908.			Revised estimate, 1906–1907.			Budget estimate, 1906–1907.			Accounts, 1905–1906.		
	Local Funds Act V of 1884.	Special Funds.	Total.	Local Funds Act V of 1884.	Special Funds.	Total.	Local Funds Act V of 1884.	Special Funds.	Total.	Local Funds Act V of 1884.	Special Funds.	Total.
I. Land Revenue.	1·44	3·11	4·55	1·30	2·05	3·35	1·42	2·81	4·23	1·28	25·98	27·26
VI. Provincial rates.	69·31	5·65	74·96	68·20	3·30	71·50	67·60	5·28	72·88	69·32	26·55	95·87
XII. Interest ..	1·23	..	1·23	1·08	..	1·08	·99	..	·99	·74	..	·74
XVI-A. Law and Justice—Courts of Law.	·29	..	·29	·30	..	·30	·30	..	·30	·31	..	·31
XIX. Education ..	3·00	..	3·00	2·93	..	2·93	3·05	..	3·05	2·91	..	2·91
XX. Medical ..	·75	..	·75	·73	..	·73	·74	..	·74	·70	..	·70
XXI. Scientific, etc., departments.	·01	..	·01	..	..	..	..	..	..	..	..	..
XXII. Superannuation.	..	..	..	..	..	..	·01	..	·01	·01	..	·01
XXV. Miscellaneous.	6·71	..	6·71	6·86	..	6·86	6·42	..	6·42	6·76	..	6·76
XXVI. State Railways Gross traffic receipts.	6·20	..	6·20	6·00	..	6·00	6·20	..	6·20	6·00	..	6·00
XXXII. Civil Works..	14·89	..	14·89	14·80	·01	14·81	14·28	..	14·28	13·57	..	13·57
By P.W.D.	·11	..	·11	·11	..	·11	·07	..	·07	·10	..	·10
Contributions	26·90	·05	26·95	28·06	·05	28·11	20·18	..	20·18	26·29	·04	26·33
Total Revenue ..	130·84	8·81	139·65	130·37	5·41	135·78	121·26	8·09	129·35	127·99	52·57	180·56
Debt deposits	..	..	..	..	..	..	..	..	..	— ·16	..	— ·16
Surplus or deficit ..	..	..	+ 6·12	..	..	+ 20·49	..	..	+ 5·65	..	..	+ 9·22
Opening balance { Service..	..	..	64·88	..	..	49·18	..	..	45·49	..	..	39·80
Opening balance { Debt ..	..	..	..	..	..	..	..	..	..	..	..	— 3·67

Heads of Expenditure.	Budget estimate, 1907–1908.			Revised estimate, 1906–1907.			Budget estimate, 1906–1907.			Accounts, 1905–1906.		
	Local Funds Act V of 1884.	Special Funds.	Total.	Local Funds Act V of 1884.	Special Funds.	Total.	Local Funds Act V of 1884.	Special Funds.	Total.	Local Funds Act V of 1884.	Special Funds.	Total.
1. Refunds ..	·04	..	·04	·05	·01	·06	·05	·01	·06	·06	·24	·30
3. Land Revenue ..	..	5·00	5·00	..	1·30	1·30	..	4·95	4·95	..	51·78	51·78
14. Interest on other obligations.	·04	..	·04	·05	..	·05	·05	..	·05	..	..	..
18. General Administration.	3·49	..	3·49	3·38	..	3·38	3·56	..	3·56	3·47	..	3·47
22. Education ..	20·00	.	20·00	16·87	..	16·87	14·44	..	14·44	14·28	..	14·28
24. Medical .. .	19·92	..	19·92	18·45	..	18·45	20·90	..	20·90	20·00	..	20·00
26. Scientific, etc., departments.	·11	..	·11	·04	..	·04	·06	..	·06	·05	..	·05
29. Superannuation ..	·60	..	·60	·64	..	·64	·50	..	·50	·48	..	·48
30. Stationery and Printing.	·57	·01	·58	·53	·01	·54	·52	·01	·53	·55	·26	·81
32. Miscellaneous ..	3·60	..	3·60	3·52	..	3·52	3·67	..	3·67	3·48	..	3·48
33. Famine Relief ..	..	..	..	..	..	..	..	..	..	..	..	..
38. State Railways, working expenses.	3·80	..	3·80	3·60	..	3·60	3·90	..	3·90	3·38	..	3·38
Interest on Capital deposited by Companies.	·71	..	·71	·70	..	·70	·70	..	·70	·68	..	·68
Interest chargeable against companies on advances.	·46	..	·46	·47	..	·47	·47	..	·47	·48	..	·48
41. Miscellaneous Railway Expenditure.	..	..	..	·21	..	·21	·01	..	·01	·24	..	·24
43. Minor Works and Navigation, P.W.D.	..	·07	·07	..	·06	·06	..	·07	·07	..	·07	·07
45. Civil Works ..	69·63	·37	70·00	59·35	·28	59·63	63·44	·37	63·81	64·83	1·07	65·40
By P.W.D. ..	·46	..	·46	·42	..	·42	·38	..	·38	·49	..	·49
45-A. Construction of Railways.	·27	..	·27	·40	..	·40	·69	..	·69	1·07	..	1·07
Contributions ..	3·53	·85	4·38	3·51	1·44	4·95	3·55	1·40	4·95	3·42	1·30	4·72
Total, Expenditure ..	127·23	6·30	133·53	112·19	3 10	115·29	116·89	6·81	123·70	116·46	54·72	171·18
Closing balance { Service ..	..	..	71·00	..	..	64·88	..	..	51·14	..	..	49·18
Closing balance { Debt .	..	..	..	..	..	..	..	..	..	..	..	— 3·63
Adjustment of Ryotwari Village Service fund balance.	..	..	..	..	4·79	4·79	..	..	..	..	..	..

APPENDIX C.

PROVINCIAL ADVANCES AND LOANS.

—		Budget, 1907–1908.	Revised, 1906–1907.	Budget, 1906–1907.	Accounts. 1905–1906.	1904–1905.	1903–1904.	1902–1903.	1901–1902.	1900–1901.	1899–1900.
Class I—Advances to Cultivators.	Balance ..	39·11	38·52	37·42	35·31	36·15	38·10	37·94	38·43	38·79	42·81
	Advances ..	7·12	5·12	4·10	7·11	3·37	2·51	4·31	3·81	4·15	3·42
	Recoveries ..	4·55	4·53	4·16	3·90	4·21	4·46	4·15	4·30	4·51	7·44
	Balance ..	41·68	39·11	37·36	38·52	35·31	36·15	38·10	37·94	38·43	38·79
Class III—Loans to Landholders and Notabilities.	Balance ..	..	·14	·14	·44	·44	·35	·11	..	..	·01
	Advances ..	..	..	..	..	..	·09	·24	·11	..	..
	Recoveries ..	..	·14	·14	·30	..	..	..	..	..	·01
	Balance ..	..	..	..	·14	·44	·44	·35	·11	..	..
Class IV (*a*)—Loans to Mufassal Municipalities.	Balance ..	19·53	18·63	23·24	16·99	14·76	13·76	13·27	12·28	12·61	12·67
	Advances ..	4·06	1·93	5·63	2·61	3·24	1·79	1·13	1·57	·27	·52
	Recoveries ..	1·09	1·03	1·58	·97	1·01	·79	·64	·58	·60	·58
	Balance ..	22·44	19·53	27·29	18·63	16·99	14·76	13·76	13·27	12·28	12·61
Class IV (*b*)—Loans to District Boards.	Balance ..	10·05	5·16	5·58	·10	·20	·30	·40	·50	..	·05
	Advances ..	6·00	5·17	13·00	5·19	..	..	..	..	·50	..
	Recoveries ..	·22	·28	·08	·13	·10	·10	·10	·10	..	·05
	Balance ..	15·83	10·05	18·50	5·16	·10	·20	·30	·40	·50	..
Total Provincial Advances and Loans.	Balance ..	68·69	62·45	66·38	52·84	51·55	52·51	51·72	51·21	51·40	55·54
	Advances ..	17·12	12·22	22·73	14·91	6·61	4·39	5·68	5·48	4·92	3·94
	Recoveries ..	5·86	5·98	5·96	5·30	5·32	5·35	4·89	4·97	5·11	8·08
	Balance ..	79·95	68·69	83·15	62·45	52·84	51·55	52·51	51·72	51·21	51·40

MADRAS: PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

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16.12.
FORT ST. GE

Proceedings of a Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Acts of Parliament, 24 and 25 Vic., cap. 67, and 55 and 56 Vic., cap. 14.

The Council met at the Council Chamber, Fort St. George, at 12–20 P.M. on Monday the 2nd day of December 1907.

PRESENT:

His Excellency the Hon'ble Sir ARTHUR LAWLEY, K.C.M.G., G.C.I.E., Governor of Madras—*Presiding*.
The Hon'ble Mr. G. STOKES, C.S.I.
The Hon'ble Mr. G. S. FORBES, C.S.I.
The Hon'ble Mr. A. G. CARDEW.
The Hon'ble K. R. GURUSWAMI AIYAR Avargal.
The Hon'ble M. KRISHNAN NAYAR Avargal.
The Hon'ble B. NARASIMHESWARA SARMA Garu.
The Hon'ble Nawab MUHAMMAD RAZA KHAN.
The Hon'ble Raja VASUDEVA RAJA Valia Nambidi of Kollengode.
The Hon'ble Mr. V. G. LYNN.
The Hon'ble Sir V. C. DESIKACHARIYAR, *Kt.*
The Hon'ble Mr. F. J. WILSON, M.I.C.E.
The Hon'ble Mr. J. TWIGG.
The Hon'ble Raja V. VIRABHADRA RAZU Bahadur, Zamindar of Kurupam.
The Hon'ble Mr. H. BRADLEY, C.S.I.
The Hon'ble C. K. SRINIVASA RAO Avargal.
The Hon'ble Mr. J. ANDREW.
The Hon'ble Mr. A. G. BOURNE, D.Sc., F.R.S.
The Hon'ble Mr. J. N. ATKINSON.
The Hon'ble Mr. C. J. WEIR.
The Hon'ble Diwan Bahadur R. V. SRINIVASA AIYAR Avargal, C.I.E.
The Hon'ble P. S. SIVASWAMI AIYAR Avargal (Officiating Advocate-General).

ADDITIONAL MEMBERS.

The Secretary reported that the following gentlemen had taken their seats as Additional Members of Council :—

The Hon'ble Mr. A. G. BOURNE, D.Sc., F.R.S.
The Hon'ble Mr. J. N. ATKINSON.
The Hon'ble Mr. C. J. WEIR.
The Hon'ble Diwan Bahadur R. V. SRINIVASA AIYAR Avargal, C.I.E.
The Hon'ble P. S. SIVASWAMI AIYAR Avargal (Officiating Advocate-General).

QUESTIONS AND ANSWERS.

The Hon'ble B. NARASIMHESWARA SARMA :—

I. (*a*) Will the Government be pleased to state in how many villages, in addition to those referred to in Volume II of the Local Rules and Orders made under enactments applying to the Presidency, the provisions of section 9, clauses 2 to 9, of Act I of 1889 have been brought into force ?

(*b*) Is it a fact that only 648 suits out of 93,928 adjudged by village courts have been disposed of by bench courts, and will the Government be pleased to extend the system of trial by bench courts ?

140—12-12-1907.

(c) Will the Government be pleased to modify the rule as per G.O., No. 431, Judicial, dated 28th February 1893, so as to enable Collectors to appoint competent persons as village munsifs in places where the heads of villages may be found incompetent to discharge the duties of the office of munsif?

(d) Will the Government be pleased to provide for the periodical inspection of the records of village courts by District Munsifs?

The Hon'ble Mr. Bradley :—

I. (a) The provisions referred to have been extended to 566 additional villages.

(b) One thousand four hundred and eighty-nine suits out of 95,765 heard in 1906 were disposed of by bench courts. The system is gradually being extended, and the Government have consistently encouraged it.

(c) The rule in the Government Order quoted by the Honourable Member has been modified by orders issued in 1905 to this extent that, where villages have been grouped for purposes of revenue administration under a single village headman, the Collector may appoint as village munsif of the village court of each village a resident villager whom he deems qualified giving, however, a preference to members of the hereditary families. The Government have not heretofore received representations which would lead them to alter the rules further.

(d) Under section 75 of the Village Courts Act the village courts are subject to inspection by the District Munsif or District Judge; but the practice where it did exist appears to have been generally abandoned by District Munsifs owing to pressure of work, and the Government are not prepared to move the High Court in the matter.

The Hon'ble B. Narasimheswara Sarma :—

II. (1) Has the attention of the Government been invited to the great disproportion in the number of District Munsifs relatively to area, population and the number of suits contested and uncontested between Bengal and Madras, 295 District Munsifs being employed in Bengal and 146 in East Bengal and Assam and only 121 in Madras, the ordinary jurisdiction of a District Munsif in Bengal and Madras extending to Rs. 1,000 and Rs. 2,500 respectively?

(2) Is it a fact that there has been a steady increase in the number of suits instituted in District Munsifs' Courts in Madras and in the net revenue derived therefrom during recent years, the increase in 1905–1906 having amounted to 9,493 suits?

(3) Will the Government be pleased to state the average rate of mortality and duration of life among District Munsifs and Subordinate Judges and obtain information if necessary?

(4) Will the Government be pleased to provide for the relief of pressure by sanctioning the appointment of additional Munsifs or otherwise?

The Hon'ble Mr. Bradley :—

II. (1) The Government have not made any comparison of the relative amount of work done by District Munsifs in Bengal and this Presidency.

(2) The statistics will be found in the annual Civil Justice reports.

(3) The Government have no information as to the rate of mortality among District Munsifs and Subordinate Judges; nor do they consider that an inquiry of the kind suggested would be of any practical value.

(4) Any proposals made by the High Court for the establishment of additional Munsifs' Courts will have the most careful consideration of Government.

The Hon'ble B. Narasimheswara Sarma :—

III. (a) Is it a fact that the revenue from income-tax in this Presidency has increased from 13,67,380 in 1886 to 29,34,971 in 1902–1903 (about 116 per cent.),

and 24·05 in 1903–1904 to 28 in 1907 (about 16 per cent.) and under part IV from 8,68,430 to 22,17,819 in 1902–1903 (about 175 per cent.) and about 23 lakhs in 1906–1907?

(*b*) Is it a fact that relatively to other provinces the increase has been very large, taxation under this head being—

	1886–1887.		1902–1903.		1905–1906.	
	Part IV.	Total.	Part IV.	Total.	Part IV.	Total.
	RS.	RS.	RS.	RS.	RS.	RS.
Bengal	25,02,500	38,10,990	36,24,873	56,37,032	..	51,00,000
					1906–1907.	
					Part IV.	Total.
United Provinces ..	17,21,850	21,77,940	18,94,301	25,49,878	17,12,000	20,50,000
Bombay	19,56,440	30,04,390	23,62,394	39,01,264	23,12,000	39,50,000 ?

(*c*) Will the Government be pleased to state why the increase, especially under part IV, has been so high in this Presidency?

The Hon'ble Mr. Cardew :—

III. (*a*) & (*b*) The figures quoted by the Honourable Member appear to be in most cases approximately correct, but the Government are not aware of the causes which may in other Presidencies have affected the growth of the revenue and cannot therefore explain why the increase there has been less than in Madras.

(*c*) The reason of the increase in Madras must be largely a matter of conjecture but the increase is believed to be mainly due to improved administration of the tax.

The Hon'ble B. Narasimheswara Sarma :—

IV. (*a*) Will the Government be pleased to state how many inamdars there are in the Presidency and the average number of acres held by each?

(*b*) Are the figures given in Mr. Srinivasa Raghavaiyangar's manual that there are 438,659 inamdars with an average acreage of 19 each and the statement that the holders of whole inam villages are in an impoverished condition, their property having got sub-divided into minute portions, substantially correct?

(*c*) Will the Government be pleased to enquire as to how many co-sharers enjoy jointly with the registered holders and how many tenants cultivate land under inamdars?

The Hon'ble Mr. Cardew :—

IV. (*a*) The information asked for is not available.

(*b*) The figures given by the late Diwan Bahadur Srinivasa Raghava Aiyangar were only approximately correct and the return from which they were taken has been abolished by the Government of India on the ground that the figures it contained were incomplete and misleading and that the compilation of correct statistics was impracticable. The Government have no information as to the material condition of the holders of whole inam villages, but the Honourable Member will observe that the late Diwan Bahadur Srinivasa Raghava Aiyangar states that the revenue which these holders pay to the State amounts to only 16 per cent. of the rental, thus leaving 84 per cent. to the inamdars.

(*c*) The Government cannot undertake the enquiry suggested, as the value of the information obtained would not be commensurate with the work and outlay involved.

The Hon'ble B. Narasimheswara Sarma :—

V. (*a*) Will the Government be pleased to state whether the number of Revenue officers is proposed to be increased to cope with the work which would be thrown on the Revenue Courts when the Estates Land Bill is passed into law and by how many covenanted and uncovenanted officers?

(*b*) Have the Government prepared an estimate of the approximate cost, if any, which would be incurred by such increase and will it be pleased to lay the scheme, if any, before the public before final orders are passed?

The Hon'ble Mr. Cardew :—

V. Whether any increase in the Revenue staff will be needed is uncertain. The Government therefore have not yet considered the matter and do not propose to do so until the provisions of the Bill have been finally determined by the legislature.

The Hon'ble B. NARASIMHESWARA SARMA :—

VI. With reference to the lump provision made in the budget for 1907–1908 for the constitution of additional districts, will the Government be pleased to lay the scheme now before the public and state if final orders have been passed thereupon?

The Hon'ble Mr. Bradley :—

VI. The scheme for the redistribution of districts, divisions and taluks in the Madras Presidency was published more than six months ago in the *Fort St. George Gazette* of the 21st May 1907 and a copy sent to the Press. The subject is under the consideration of the Government of India.

The Hon'ble B. NARASIMHESWARA SARMA :—

VII. (*a*) Is it a fact that the Supreme Government has directed an industrial survey of this Presidency?

(*b*) If such survey has been directed, will the Government be pleased to state what steps have been taken or are proposed to be taken in respect thereof?

The Hon'ble Mr. Cardew :—

VII. The answer is in the negative. Mr. Chatterton has been appointed to be Director of Industrial and Technical Enquiries, but his work is being directed rather to the practical advancement of selected industries than to a survey of their present condition. If the Honourable Member desires further information as to the lines on which work is being carried on by the Director, the Government will be happy to give him more particulars than can be included in the answer to this question.

The Hon'ble B. NARASIMHESWARA SARMA :—

VIII. (*a*) Will the Government be pleased to state whether there is any prospect of either or both of the great irrigation projects in Madras, the Tungabhadra and Kistna, being taken on hand in the near future?

(*b*) Will the Government be pleased to request the Government of India to sanction the construction of the same at an early date?

The Hon'ble Mr. Wilson :—

VIII. There is no prospect of the Kistna project being sanctioned in its original form, but there is hope that after detailed investigation a modified project fulfilling the conditions of a productive work will be found feasible.

The revised estimates of the Tungabhadra project are still under the consideration of the local Government, and it is premature to address the Government of India concerning the matter.

The Hon'ble B. NARASIMHESWARA SARMA :—

IX. Is it a fact that the charges on account of superannuation allowances have increased from 13·39 lakhs in 1890–1891 to 22·34 lakhs in 1907–1908? Will the Government be pleased to state whether any estimate has been made as to the maximum limit which under present conditions the allowances are expected to reach and when the maximum is expected to be reached; and if no such estimate has been prepared, will the Government be pleased to direct its preparation?

The Hon'ble Mr. Bradley :—

IX. The answer to the first part of the question is in the affirmative. The growth of the amount of superannuation allowances is the natural result of the growth of the number of Government servants earning pension and the improvement of their pay. The Accountant-General reports that no estimate of the kind referred to by the Honourable Member has ever been made and that it would be impossible to make one.

The Hon'ble B. Narasimheswara Sarma :—

X. Will the Government be pleased to state if the Berhampur water-supply scheme has been finally approved and sanctioned and when the work would be taken on hand?

The Hon'ble Mr. Bradley :—

X. Administrative approval has been accorded to the complete scheme of water-supply to the town of Berhampur submitted by the Sanitary Engineer. The scheme is estimated to cost Rs. 3,03,920. The annual maintenance charges are estimated at Rs. 3,000. The plans and estimates are now under scrutiny in the Public Works Department. The Government have promised a free grant not exceeding Rs. 1,52,000 towards the cost of the scheme inclusive of the Rs. 20,000 already placed at the disposal of the Council for the purpose, and have further promised to lend the balance required from the Provincial Loans and Advance Account with interest at 4 per cent. per annum. In order to finance the scheme the Council will have to levy a water and drainage tax at 8 per cent. per annum on the annual value of lands and buildings. The resolution of the Council on this subject is awaited.

The Hon'ble B. Narasimheswara Sarma :—

XI. (*a*) Is it a fact that about 1,696 and 4,745 villages with a population ranging between 1,000 and 2,000 and 500 and 1,000 respectively have no elementary schools whatsoever? Will the Government be pleased to state if any scheme has been prepared to provide the said villages with schools in the near future, and if no such scheme be ready, direct the preparation of one?

(*b*) Will the Government be pleased to state how many primary or elementary schools have been newly opened in 1906–1907 and are intended to be opened in 1907–1908 and the estimated direct cost thereof?

The Hon'ble Mr. Bradley :—

XI. (*a*) The figures quoted by the Honourable Member are apparently based on the statistics given in the Report on Public Instruction for 1905–1906 but are not quite correct. According to the latest statistics the numbers are 1,507 and 4,215 respectively. The actual increase in the number of villages with a population ranging between 2,000 and 500 provided with schools during 1906–1907 was 714.

A survey has been made and lists of villages in which there is any probability of a school being successful have been drawn up. The Government and the Local Boards have been and are steadily establishing schools in villages in which there are none as funds become available.

(*b*) The Government have no information as to the actual number of elementary schools of all kinds which were newly opened in 1906–1907, but the number of public elementary schools increased during the year by 894.

The Government have no definite information as to the number of elementary schools which are likely to be opened during 1907–1908 or as to the cost thereof, but it has been estimated that 228 new Board schools will be opened.

The Hon'ble B. NARASIMHESWARA SARMA :—

XII. (*a*) Is it a fact that the average consumption of opium in the old Gódávari district is ·648 tola per head, whereas the average consumption in the rest of the Presidency is ·080 tola per head?

(*b*) If so, will the Government take steps to ascertain the reasons for this excessive consumption with a view to its reduction?

The Hon'ble Mr. Cardew :—

XII. (*a*) The answer is in the affirmative.

(*b*) The cause of the larger consumption of opium in the Gódávari district has been investigated on various occasions, and it has been reported that the drug is used as a preventive of fever and other diseases in the more malarious tracts. The attention of the Board of Revenue will again be drawn to the matter.

The Hon'ble B. NARASIMHESWARA SARMA :—

XIII. Will the Government be pleased to consider and adopt measures for the carrying out of the recommendations of the Committee on Industrial Education in regard to the starting of an institute of experiment in the metal industries of Madras (*vide* page 21 of their report)?

The Hon'ble Mr. Cardew :—

XIII. The Government do not propose at present to start the particular institute referred to in the question.

The Hon'ble B. NARASIMHESWARA SARMA :—

XIV. Is it a fact that the peasantry in the district of Vizagapatam emigrate largely to Rangoon, Natal and foreign settlements in search of a living?

The Hon'ble Mr. Bradley :—

XIV. According to the annual Emigration Report for the year 1906, 553 emigrants left the Vizagapatam district during the year for Natal.

With regard to emigration to Burma, which is not under statutory regulation, there are no returns showing emigrants and immigrants as such, but 24,716 passengers embarked for Burma from Vizagapatam and 25,603 passengers, nearly all of whom are believed to have come from Burma, returned to the district, exclusive of indentured immigrants, during the same year. The statistics do not distinguish between ordinary passengers and labourers in search of work.

The Hon'ble B. NARASIMHESWARA SARMA :—

XV. (1) Is it a fact that the rates of fees for grazing in Vizagapatam have been enhanced?

(2) If so, why have they been enhanced?

(3) Will Government reduce them?

The Hon'ble Mr. Cardew :—

XV. (1) & (2) The answer is in the negative. The fees imposed in Sarvasiddhi taluk have been in force since 1896 and those in the rest of the district since 1895.

(3) The Government see no reason to reduce them.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

XVI. (*a*) Is it a fact that the native population of Rajahmundry are prohibited from sounding drums and playing on musical instruments between the hours of 11 P.M. and 6 A.M. on marriage and other ceremonial occasions?

(*b*) Is it also a fact that people are prohibited from sounding such drums even when the ceremonies are confined to the house and do not take the form of processions in public streets?

(c) If Government cannot see their way to abolish the rule altogether, will they be pleased to order its being put into force only when the hour of the ceremonies is of an optional nature and its being relaxed to suit the sentiments and customs of the people in all other circumstances?

The Hon'ble Mr. Bradley :—

XVI. There is no such general prohibition; but under the ordinary law any person blowing horns, etc., so as to cause a public nuisance can be prosecuted criminally.

The Hon'ble Raja V. Virabhadra Razu Bahadur :—

XVII. (a) Is it a fact that about the year 1897–1898 certain zamindars in the Ganjám and Vizagapatam districts were recommended to be invested with power to fine village officers coming under section 2 of Act II of 1894?

(b) Is it a fact that the matter had to be dropped for the time being owing to the difficulty of determining how the fines were to be collected as the emoluments of the said village officers consisted in lands?

(c) If the salary system is going to supersede emoluments in land, will Government be pleased to advise the Board of Revenue to invest zamindars with the said power in all cases in which the salary system is introduced?

The Hon'ble Mr. Cardew :—

XVII. It is a fact that in 1897 certain proposals were made with the object of empowering zamindars to punish village officers by fine under section 16 of the Proprietary Estates' Village Service Act and that the Government then postponed the consideration of these proposals until the system of payment by fixed money salaries should be introduced. That system has not yet been introduced, but the Government have no present intention of conferring the powers in question on zamindars.

The Hon'ble Raja V. Virabhadra Razu Bahadur :—

XVIII. (a) Is it a fact that the income derived by the Civil Hospital, Vizagapatam, from the sale of medicines is going down owing to the establishment of a private dispensary and a chemist's shop at the place; and that the hospital has not, for some time, been able to make both ends meet?

(b) Are Government aware that patients have often been refused admission into the hospital owing to the inadequacy of funds needed for dieting charges and European medicines?

(c) Is it a fact that the District Board of Vizagapatam expressed its willingness to raise its contribution towards the hospital funds from Rs. 3,840 to Rs. 6,000 annually but that Government have vetoed the same?

(d) Will Government be pleased to permit the District Board to raise its contribution as above, or otherwise aid the institution with funds?

The Hon'ble Mr. Bradley :—

XVIII. (a) & (b) The Government are aware that the Hospital Committee was, until recently, in need of funds; they have no information in regard to the other points mentioned in these questions.

(c) The answer to this question is in the affirmative; the provision was struck out of the budget proposals of the District Board for 1907–1908 on the ground that the financial condition of the Board at that time did not justify a permanent addition to its recurring charges. A special grant of Rs. 2,000 to this institution from the funds of the District Board was however sanctioned in G.O., No. 825 L., dated 18th June 1907.

(*d*) The Government will be prepared to consider the suggestion if the District Board can show its ability to meet the charge from its normal income.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

XIX. (*a*) With reference to the introduction of earthen pipes in the place of palmyra sluices for distribution of water in the deltaic tracts of the Gódávari and Kistna districts during the current fasli, will Government be pleased to state what area is irrigated under the new pipe system and in what taluks of the said districts?

(*b*) How does the new system compare with the old one as regards the facilities for irrigating the lands?

(*c*) Will Government be pleased to place on the table the report of the Superintending Engineer and the order of Government sanctioning the introduction of the pipe system in the said districts?

The Hon'ble Mr. Wilson :—

XIX. (*a*) The substitution of pipe sluices for palmyra spouts is merely one step in the direction of providing an equitable and economical distribution of water and generally improving the deltas and freeing them from submersion. Pipe sluices were provided for new channels in the Kistna delta as far back as 1893 so that the system is not new. Government have no information as to the area at present supplied from pipe sluices, and as it is intended to provide all the channels with pipe sluices, there seems to be no useful object served in obtaining this information from the local officers.

(*b*) Owing to the palmyra spouts being all of one size, they cannot be proportioned to the areas under them, and thus excessive quantities of water are liable to be poured on to the lands. These spouts cannot be regulated and those at the head of a channel take off more water than they should and may thus deprive of their fair share of water the lands at the tail end of the channel. The pipe sluices are designed to assist in rectifying these evils.

(*c*) Government are not prepared to place on the table the executive orders introducing the system.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

XX. (*a*) Have Government received a memorial from the worshippers of Sri Janardhanaswami at Dowlaishweram in the Gódávari district complaining against the action of the Rajahmundry Taluk Board in first according sanction to a masonry shed being constructed for the use of the temple car on 10th February 1905 and then prohibiting the completion of the shed on 17th April 1905 on the alleged ground that the proposed shed encroached upon a public street?

(*b*) Is it a fact that the Chairman and members of the Dowlaishweram union inspected the site before according sanction to the construction of the masonry shed and were at the spot when the foundations were cut?

(*c*) Will Government be pleased to order a cancellation of the order of the Taluk Board and permit the temple trustees to go on with the work?

(*d*) Will Government be pleased to order the Rajahmundry Taluk Board to award suitable compensation to the temple trustees for the loss sustained by them in gathering materials and raising an incomplete structure on the strength of the permission granted to them by the President on 20th February 1905?

The Hon'ble Mr. Bradley :—

XX. (*a*) The answer to this question is in the affirmative.

(*b*) The Government have no information on the subject.

(*c*) & (*d*) The memorial is under the consideration of Government.

The Hon'ble Raja V. VIRABHADRA RAZU Bahadur :—

XXI. (*a*) Are Government aware of the fact that the time-gun fired every night at 9 o'clock at Vizagapatam has been in existence since 1871, and that its sudden discontinuance recently is causing much inconvenience to the people?

(*b*) Will Government be pleased to state the circumstances under which it has been ordered to be discontinued?

(*c*) Will Government be further pleased to undertake firing the gun as usual, if necessary with the aid of private subscriptions, in case they cannot see their way to permit an individual to fire it as hitherto?

The Hon'ble Mr. Bradley :—

XXI. The Government have no information on the subject. A report from the Collector has been called for.

The Hon'ble Sir V. C. DESIKACHARIYAR, *Kt.* :—

XXII. (*a*) Will the Government be pleased to place on the table the notification of the Government of India about the preference to be given, in the purchase of articles required for the various departments of Government, to Indian manufactured articles over articles not manufactured in India in all cases wherever practicable?

(*b*) Will the Government be pleased to state if the said notification has been sent to such departments as the Salt and Abkári, the Police, etc., who make it a practice to call for tenders.

The Hon'ble Mr. Bradley :—

XXII. A copy of G.O., No. 554, Financial, dated 22nd June 1898, will be laid on the table.

The Hon'ble M. KRISHNAN NAYAR :—

XXIII. (*a*) Is it a fact that the Government have passed an order for the special guidance of the officers of the Madras Ophthalmic Hospital prohibiting them from accepting fees from patients?

(*b*) Has the attention of the Government been drawn to certain instances of the alleged ill-treatment of the patients of the Madras Ophthalmic Hospital by the officers thereof, mentioned by Sam Manikam of Saidapet in a memorial on "The Health of the people of India", dated 25th June 1907, submitted by him to the Government of India?

(*c*) Will the Government be pleased to state what action they have taken regarding these allegations?

(*d*) Having regard to the serious nature of the allegations, will the Government be pleased to make an enquiry into the truth or otherwise of these allegations, and take such other action as they think fit?

The Hon'ble Mr. Bradley :—

XXIII. (*a*) The officers of the hospital are prohibited from accepting fees from hospital patients.

(*b*) The answer is in the affirmative.

(*c*) & (*d*) The Government have ordered that the matter shall be inquired into.

The Hon'ble M. KRISHNAN NAYAR :—

XXIV. (*a*) Are the Government aware that two roads, which run through the Fort Esplanade at Cannanore in the Malabar district and which had been used by the public without any let or hindrance for about half a century, have lately been closed to the public by the Officer Commanding the 79th Carnatic Native Infantry by means of wooden gates put across them?

(*b*) Were the roads in question opened and are they being maintained with public funds?

(*c*) Were the roads open to the public when the neighbouring blocks of barracks were exclusively occupied by European troops and when Cannanore was a first-class Military station?

(*d*) What circumstances have now arisen to justify the closing of the roads to the public?

(*e*) Are the blocks of barracks which were exclusively used by European troops when Cannanore was a first-class Military station now occupied by the sepoys of the 79th Carnatic Infantry except a small portion which is tenanted by a detachment of European soldiers numbering about 100?

(*f*) Has any representation been received by Government from the Municipal Council, Cannanore, with reference to the public inconvenience caused by the blocking of the roads?

(*g*) Will the Government be pleased to order the removal of the obstruction on the roads in question or to direct that no public funds be expended on them in future?

(*h*) Is it a fact that a public road runs right through the middle of European Barracks at Bangalore and that the public are not excluded from it?

The Hon'ble Mr. Bradley :—

XXIV. (*a*) *to* (*g*) It has been brought to the notice of Government by the Municipal Council, Cannanore, that two roads which pass through the Maidan Military quarters at Cannanore and which were till recently used by the public have been closed to the public by the Military authorities. From the information before Government it appears that the Military authorities have long been in the habit of closing the roads through the maidan when using the rifle ranges. The Government have no information as to the date on which the roads were originally constructed, but they appear originally to have been cantonment roads. The roads in the cantonment are, as far as it can be ascertained, maintained from Imperial Military Funds. It does not appear that any funds are being expended upon their upkeep from Provincial funds. The other matters referred to by the Honourable Member do not appear to be within the discretion of the Local Government.

(*h*) The Government have no information on the subject.

The Hon'ble M. Krishnan Nayar :—

XXV. Will the Government be pleased to state what action they have taken or intend taking with reference to the conduct of Dr. Kemp who assaulted Kopalli Krishna Rao of Cocanada?

The Hon'ble Mr. Bradley :—

XXV. Captain Kemp's conduct is under the consideration of Government. His explanation was received last week. The Government deferred the consideration of his conduct while the cases arising out of the incident were *sub judice*.

The Hon'ble M. Krishnan Nayar :—

XXVI. (*a*) Will the Government be pleased to state the reasons which induced them to think that "the area comprised within the limits of the Municipal town of Cocanada" was "in a disturbed state" and that "the conduct of the inhabitants of the said area" rendered it expedient to quarter a Punitive Police Force in the said area?

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(b) Is it a fact that the Municipal Council of Cocanada made a request to the Government to disband the Punitive Police Force employed in the town?

(c) Is the town of Cocanada now "in a disturbed state"?

(d) Will the Government be pleased to disband the Punitive Police Force quartered in Cocanada?

The Hon'ble Mr. Bradley :—

XXVI. (a) The reasons which led the Government to quarter a Punitive Police Force were the existence of disorder and unrest indicated by the actions and attitude of the people and an attack upon the Cocanada Club by a large mob.

(b) The Municipal Council passed a resolution to the effect stated on the 30th July 1907 which was communicated to the Government on the 30th August 1907.

(c) & (d) By an order in Council, dated 23rd November 1907, the Government have decided to reduce the period during which the force is to be quartered in the town from two years to six months.

The Hon'ble M. KRISHNAN NAYAR :—

XXVII. (a) Is it a fact that in June 1907 the Government sent a body of troops to Rajahmundry?

(b) Will the Government be pleased to state the reasons which led to the despatch of the troops?

The Hon'ble Mr. Bradley :—

XXVII. (a) The answer is in the affirmative.

(b) The existence of local disorder and the danger to the public peace were the reasons which necessitated the action taken.

The Hon'ble M. KRISHNAN NAYAR :—

XXVIII. Adverting to the answer of the Government to Question No. XVIII (b) asked at the meeting of this Council held on the 9th April 1907, will the Government be pleased to state whether they have received the further report promised by the Superintending Engineer on the subject of the feeding channel for the Vilatikulam tank and what action the Government have taken on the report?

The Hon'ble Mr. Wilson :—

XXVIII. The report in question has not yet been received from the Superintending Engineer who is being directed to expedite its submission.

The Hon'ble M. KRISHNAN NAYAR :—

XXIX. (a) Has the attention of the Government been drawn to a letter under the heading of "Are Assistant Surgeons Gazetted Officers" published in the *Madras Mail* of the 1st July 1907 and another letter under the heading of "Civil Assistant Surgeons" published in the *Madras Mail* of 18th September 1907?

(b) Will Government be pleased to order that all Civil Assistant Surgeons be regarded and treated as Gazetted officers for all purposes including purposes of audit, and be allowed to draw their pay on their own signatures without the counter-signatures of their Controlling officers?

(c) Is it a fact that Civil Assistant Surgeons in the other Provinces of India including Burma are regarded as Gazetted officers for all purposes?

The Hon'ble Mr. Bradley :—

XXIX. (a) The Government have now perused the letters.

(b) The matter will receive the consideration of the Government.

(c) The Government have no information as to the practice in other provinces.

The Hon'ble C. K. SRINIVASA RAO :—

XXX. Will the Government be pleased to state in what stage the Tungabhadra project is, and whether there is any prospect of the project being undertaken in the near future?

The Hon'ble Mr. Wilson :—

XXX. The Honourable Member is referred to the answer given to Question No. VIII asked by the Hon'ble B. Narasimheswara Sarma.

The Hon'ble C. K. SRINIVASA RAO :—

XXXI. (*a*) Will the Government be pleased to state whether the Madras rules regulating the personal conduct of Government servants, except with regard to purely local rulings, have been cancelled?

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(*b*) If so, what are the purely local rulings referred to?

(*c*) Are the Government Servants' Conduct Rules of 1904 the only rules now in force?

(*d*) If so, what is the meaning and scope of the expression "within local limits of his authority" in rule No. 7 of the aforesaid manual—

(1) in the case of gazetted officers? and

(2) in the case of non-gazetted officers?

The Hon'ble Mr. Bradley :—

XXXI. (*a*) The answer to the question is in the affirmative.

(*b*) & (*c*) Such of the rulings in the Madras pamphlet as are not inconsistent with the rulings contained in the "Government Servants' Conduct Rules, 1904" and not contained therein must be considered to be still in force. A Madras supplement to the "Government Servants' Conduct Rules" is under preparation.

(*d*) The supplement about to be issued will contain orders on this point. Meanwhile former rulings on the subject, which have been laid down in Government orders from time to time, continue to apply.

The Hon'ble C. K. SRINIVASA RAO :—

XXXII. (*a*) Is it a fact that large quantities of adulterated ghee are imported into this Presidency?

(*b*) Will the Government be pleased to consider the advisability of passing a measure analogous to the Ghee Adulteration Acts of Bombay and Calcutta for the Madras Presidency?

The Hon'ble Mr. Bradley :—

XXXII. (*a*) The Government have no information.

(*b*) The Honourable Member does not specify the enactments of the Bombay and Bengal Legislature to which he refers. Presumably Act No. II of 1889 is the Bombay Act he refers to. Section 495 of the Calcutta Municipal Act (Bengal Act III of 1899) corresponds to the provisions of section 357 of the Madras City Municipal Act, 1904, and of section 37 of the Hill Municipalities Act, 1907. The Honourable Member's attention will also be invited to the provisions of section 204 of the Madras District Municipalities Act, 1884, and to sections 272 and 273 of the Indian Penal Code.

The Government have not had under consideration the question of special legislation on the subject and are unable at present to say when the matter can be considered.

The Hon'ble C. K. SRINIVASA RAO :—

XXXIII. Will the Government be pleased to reconsider the decision regarding the punishment inflicted on the large number of the students of the Rajahmundry College and take a more lenient view of the case ?

The Hon'ble Mr. Bradley :—

XXXIII. The matter has been fully considered and the Government are not prepared to modify the orders already passed.

The Hon'ble C. K. SRINIVASA RAO :—

XXXIV. Will the Government be pleased to state in what stage the question of raising the pay of the taluk gumastahs is, and will the Government be pleased to pass early orders on the subject ?

The Hon'ble Mr. Cardew :—

XXXIV. The question of revision of the clerical establishments in taluk offices is at present under the consideration of the Board of Revenue and the Board has been requested to expedite its proposals.

The Hon'ble C. K. SRINIVASA RAO :—

XXXV. Will the Government be pleased to state whether, as stated in G.Os., No. 374, Revenue, of 25th April 1906, and No. 547, Revenue, of 16th June 1906, the District Forest Officer of Kurnool has completed arrangements for carrying Nallamalai wood to Kurnool by boats, and whether the Government would be pleased to pass orders for the further reduction of the price of firewood from Rs. $8\frac{1}{2}$ per ton to Rs. 7 ?

The Hon'ble Mr. Cardew :—

XXXV. The Government are not aware whether the arrangements for bringing fuel to Kurnool by boat have been completed and are unable therefore to order the further reduction in the price of firewood suggested in the question. A report will be called for.

The Hon'ble C. K. SRINIVASA RAO :—

XXXVI. (*a*) Is it a fact that firewood is being sold in the Forest depot, Kurnool, by heaps and not by weight, and that the people sustain loss by sale in heaps instead of by weight ?

(*b*) Will the Government be pleased to direct the sale of firewood by weight ?

The Hon'ble Mr. Cardew :—

XXXVI. The Government have no information as to whether firewood is sold by weight or by measurement at the Kurnool depot, and see no reason to think that loss is caused by the latter method. They do not at present propose to direct that it should be abandoned.

The Hon'ble C. K. SRINIVASA RAO :—

XXXVII. Will the Government be pleased to consider the advisability of withdrawing the Punitive Police from Cocanada ?

The Hon'ble Mr. Bradley :—

XXXVII. The Honourable Member is referred to the answer given to Question No. XXVI (*c*) & (*d*) asked by the Hon'ble M. Krishnan Nayar.

The Hon'ble C. K. SRINIVASA RAO :—

XXXVIII. (*a*) Has the Government's attention been drawn to the editorial note in the *Hindu* of the 21st August 1907 on the subject of certain alleged acts of maladministration in the Ophthalmic Hospital, Madras?

(*b*) Will the Government be pleased to institute an enquiry into the various allegations made therein, and take the necessary steps for removing all cause for complaint in so important and useful an institution as the Ophthalmic Hospital, Madras?

The Hon'ble Mr. Bradley :—

XXXVIII. The Honourable Member is referred to the answer given to Question No. XXIII asked by the Hon'ble M. Krishnan Nayar.

The Hon'ble C. K. SRINIVASA RAO :—

XXXIX. (*a*) Have the Government received a memorial of the people of Dowlaishweram, Rajahmundry taluk, addressed to the Government in July 1907, praying that the car-shed built at considerable public cost for the temple of Sri Janardhanaswami, Dowlaishweram, may not be disturbed, and that the resolution of the Taluk Board, Rajahmundry, to acquire the site of the car-shed treating the erection of the car-shed as an encroachment may be cancelled?

(*b*) And if so, will the Government be pleased to comply with the request contained in the memorial?

The Hon'ble Mr. Bradley :—

XXXIX. The Honourable Member is referred to the answer given to Question No. XX asked by the Hon'ble Raja V. Virabhadra Razu Bahadur.

The Hon'ble C. K. SRINIVASA RAO :—

XL. Will the Government be pleased to consider the feasibility of reducing the cost of firewood supplied in the Bellary depot by getting the firewood from Kambalapalli by boats to Nandyal so as to be delivered to the Nandyal railway authorities at Ponnepally platform, instead of as at present getting it from Diguvamettam, Chelama, Bethamcherla and Malkapur, which increases the cost of supply on account of their greater distance from Bellary than Kambalapalli?

The Hon'ble Mr. Cardew :—

XL. The Government have no information. The Board of Revenue will be requested to consider whether any reduction in the price of firewood in the Bellary depot can be effected.

The Hon'ble K. R. GURUSWAMI AIYAR :—

XLI. (*a*) With reference to the proposal of Government to create three new districts and sixteen additional divisions, will Government be pleased to state if any of the five new district offices (three Collectors and two Judges) are to be reserved for the Provincial Civil Service, and, if so, what offices?

(*b*) Will Government be pleased to state if any of the new sixteen divisional offices are to be added to the number available for the Covenanted Civil Service, and, if so, how many?

(*c*) Have Government made any recommendation in respect to all or any of the new district and divisional offices, and, if so, to what effect?

(*d*) If not, will Government be pleased to recommend that all or any of the new district and divisional offices be reserved for the Provincial Civil Service?

The Hon'ble Mr. Bradley :—

XLI. The matter is still under consideration and final orders have not yet been passed.

The Hon'ble K. R. GURUSWAMI AIYAR :—

XLII. (*a*) Have Government acquired about two and a half acres of dry land belonging to a few Kammavar Naick inhabitants of Aruppukottai in the Madura district at a cost of about Rs. 550 for the construction of a Deputy Tahsildar's office thereon?

(*b*) Is it a fact that the houses of that community are all huddled together in a very small area without any cattle-sheds, backyards or privy accommodation and that the whole community have been using the site now acquired and some adjacent dry lands for such purposes by the sufferance of the owners?

(*c*) Is it a fact that the owners have represented to Government that their consent to the acquisition was not free and voluntary but induced by undue persuasion?

(*d*) Is it a fact that another site next to the recently-constructed Sub-Registry office was rejected as costing more than Rs. 2,500 and that the Naick community offered in their memorial to Government to pay the whole of such cost in exchange for the grant to themselves of the site now acquired?

(*e*) Is it a fact that the Collector of the district has not himself seen the two sites in question or the Naick habitations, and will Government be pleased to direct him to do so, hear the said community on the spot, and make his recommendations on the subject?

The Hon'ble Mr. Cardew :—

XLII. The site selected for the Deputy Tahsildar's office at Aruppukottai has been inspected by two Collectors of Madura, by the Additional District Magistrate and by the Divisional Officer, and the alternative site referred to in the question was rejected after personal inspection. The Government considered a petition on the subject and found that the allegations therein, some of which are repeated in the question, were contrary to fact. The land has already been acquired under the Land Acquisition Act and the Government are not prepared to interfere.

The Hon'ble K. R. GURUSWAMI AIYAR :—

XLIII. (*a*) With reference to the answer of Government to my Question No. XXV (*g*) and (*h*) (regarding transfer of medical subordinates) asked at the meeting of this Council on 9th April last, will Government be pleased to state if they have since had an opportunity to consider the matter, and, if so, with what result?

(*b*) If not, will Government be pleased to call for proposals from the head of the department concerned?

The Hon'ble Mr. Bradley :—

XLIII. The Honourable Member is referred to the reply given to a similar question asked by the Hon'ble K. Venkata Rao at the meeting of the Legislative Council held on the 27th January 1905. The Government have no reason to believe that transfers are being made more frequently than is required by the exigencies of the public service. The power of transfer of subordinates lies with the head of the department, and the Government are not disposed to interfere with his discretion.

The Hon'ble K. R. GURUSWAMI AIYAR :—

XLIV. (*a*) Have Government perused—

(1) the open letter addressed to the Secretary of State for India by Mr. Sam Manikam of Saidapet praying for an enquiry into the working of the Medical and the Sanitary Departments of India;

(2) the supplement to that open letter sent by the same gentleman to the Government of India praying for an inquiry into the irregularities of the Medical officers responsible for the good administration of Ophthalmic Hospital, Madras;

(3) the leading article in the *Hindu* of the 21st August 1907 recommending a searching inquiry into the serious allegations made against those officers ?

(*b*) Have Government made an inquiry hitherto, and, if so, will they be pleased to lay the papers relating thereto on the table and state if the conduct of the officers concerned has been found free from reproach ?

(*c*) If not, will Government be pleased to order an early inquiry or direct the officers concerned to take steps to clear their reputation ?

The Hon'ble Mr. Bradley :—

XLIV. The Honourable Member is referred to the answer given to Question No. XXIII asked by the Hon'ble M. Krishnan Nayar.

The Hon'ble K. R. Guruswami Aiyar :—

XLV. (*a*) Has the attention of Government been drawn to the articles signed "Padma" and "Medico" respectively in the *Madras Mail* of the 1st July 1907 and 18th July 1907 on the status of Civil Assistant Surgeons ?

(*b*) Have any orders been issued by Government to the effect that all Civil Assistant Surgeons are to be deemed Gazetted officers except for purposes of audit? If so, will Government be pleased to state why their postings, transfers, etc., are not all published in the *Fort St. George Gazette*, and to direct that such publication be made hereafter ?

(*c*) Is it a fact that a considerable number of Civil Assistant Surgeons are not allowed to draw, on transfer, travelling allowance for family and servants which non-gazetted officers draw under article 1098 of the Civil Service Regulations ?

(*d*) Is it also a fact that Civil Assistant Surgeons are not allowed to draw mileage due to gazetted officers but only the same restricted to actual expenses ?

(*e*) Is it a fact that all Civil Assistant Surgeons in Burma and some other provinces are given full privileges of gazetted officers in all matters ?

(*f*) Will Government be pleased to consider if the status of all these officers may not be improved so as to allow them the full privileges of gazetted officers in all particulars ?

The Hon'ble Mr. Bradley :—

XLV. The Honourable Member is referred to the answer given to Question No. XXIX asked by the Hon'ble M. Krishnan Nayar.

The Hon'ble K. R. Guruswami Aiyar :—

XLVI. (*a*) Is it a fact that any of the three appointments reserved for Military Assistant Surgeons in the Agency tracts under G.O., No. 163, dated 22nd February 1904, are at present held by Civil Medical subordinates, and, if so, where and why and on what terms ?

(*b*) Do Government think it necessary to continue the reservation any longer ?

The Hon'ble Mr. Bradley :—

XLVI. The Government will call for the information.

The Hon'ble K. R. Guruswami Aiyar :—

XLVII. With reference to G.O., No. 560, dated 25th March 1907, dismissing from service S. C. Krishna Rao, late Sub-Registrar of Kangayam in the Coimbatore district, will Government be pleased to state :

(*a*) If during the first visit to his office, which was a surprise visit by the Personal Assistant to the Inspector-General of Registration with the Deputy Collector, Erode division, the Sub-Registrar's prayer for time and other facilities to cross-examine the witnesses then suddenly examined was refused, and, if so, why ?

(b) If the Sub-Registrar was given an opportunity of being present at the examination of the rest of the witnesses in the case, and of cross-examining them, and, if not, why not?

(c) If any specific case of levying extra fees on documents was satisfactorily brought home to the Sub-Registrar as distinguished from his Head Clerk, and, if not, whether Government considered a case of corruption fully proved against the former?

(d) And if not, whether the previous character of the Sub-Registrar during his long service of nineteen years was not sufficiently faultless to entitle him to an acquittal or a less severe punishment?

The Hon'ble Mr. Bradley :—

XLVII. The Sub-Registrar appealed against his dismissal to the Government of India. That Government have dismissed the appeal. The Government regret that they are unable now to furnish the information asked for by the Honourable Member.

The Hon'ble B. Narasimheswara Sarma :—

XLVIII. (a) Has the attention of the Government been drawn to the fact that relatively to area, population and the length of mileage, disproportionately small sums have been allotted especially during 1907–1908 for the improvement of open railway lines in Madras, 71·40 lakhs being the provision for Madras out of a total of 1,013·24 lakhs and that only 27·99 lakhs out of 336·76 lakhs have been provided for the construction of new lines?

(b) Will the Government be pleased to press on the Railway Board and the Government of India the claims of Madras to more equal treatment during the coming year?

(c) Having regard to the fact that only 10 lakhs have been provided during 1907–1908 for the Raipur-Vizianagram line and that work beyond Parvatipuram has been directed to be stopped, will the Government be pleased to urge the speedy completion of the line?

(d) Will the Government be pleased to see that the Ganjám district light railways, specially Chicacole-Gunupur and Chicacole-Parvatipuram lines, referred to in Appendix H in Mr. Robertson's report on the administration and working of Indian Railways, are surveyed and constructed at an early date?

The Hon'ble Mr. Wilson :—

XLVIII. (a) & (b) The figures quoted, which exclude the grant for Protective Railways, have apparently been taken from the Railway Administration Report for the calendar year 1906. Further additions have since been made by the Railway Board, and the total grants allotted up to date for 1907–1908, including the grant for the Protective Railways, are :—

	Original grants.	Additions since made.	Total.
(a) Open line requirements ..	71·85	12·46	84·31
(b) Lines under construction ..	27·99	8·14	36·13

Government do not consider that Madras has reason to complain of unequal treatment. In distributing grants the Railway Board are necessarily guided by other considerations besides area, population and length of mileage. The amounts to be allotted to open lines depend upon how far the standard to which they have attained resembles the standard which the traffic justifies, and in allotting funds for new construction the requirements of all India have to be considered and placed in order of importance.

(*c*) This again is a question of ways and means. The Raipur-Vizianagram Railway is now under construction by the Bengal-Nagpur Railway which is not under the control of this Government. The Railway Board considered it desirable that the greater part of the funds available should at first be devoted to work at the Vizianagram end on what would probably be the most remunerative section of the line. The Madras Presidency therefore gets the full benefit of the expenditure that, having regard to the needs of all India, the Government of India are able to spare for this railway. As funds become available, they will no doubt be allotted, but Government do not think they can reasonably urge that this railway should absorb an undue share of the funds at the disposal of the Government of India.

(*d*) Government will consider the question, but in view of the heavy demands on account of open lines and the large mileage of lines at present under construction, the construction of these lines must, it is feared, be left to local enterprise.

The Hon'ble B. Narasimheswara Sarma :—

XLIX. (*a*) Is it a fact that rice is selling above warning rates in all districts of the Presidency and that its price has either reached the scarcity rate or is ruling higher in most of the districts especially the Circars and the Deccan and that the prices of all other food-grains are equally abnormally high?

(*b*) Will the Government be pleased to state whether the crops have failed in the Circars and the Deccan except under river systems, owing to a deficiency in rainfall or unseasonable rainfalls, and whether the yield in the deltas is below the normal rate?

(*c*) Have the Government received any special report or reports from the Collectors regarding the state of the season and the condition of the people, and will the Government be pleased to place the same, if any, on the table?

(*d*) If no reports have been received, will the Government be pleased to call for them?

(*e*) Will the Government be pleased to suspend or remit the collection of revenue in the tracts badly affected and consider the desirability of opening test-works therein?

(*f*) Having regard to the abnormal prices of food-grains and the increased cost of living, will the Government be pleased to favourably consider the desirability of granting allowances to low-paid clerks and menial servants in its employ?

The Hon'ble Mr. Cardew :—

XLIX. (*a*) In the week ending 16th November 1907, the average price of rice was above warning rates in all districts and above scarcity rates in twelve. As was stated in answer to Question No. XX asked by the Hon'ble M. Krishnan Nayar at the Council meeting of the 22nd January 1907 the revision of the "normal", "warning" and "scarcity" rates is under consideration, as the existing rates are based on data commencing over 30 years ago and no longer correctly represent existing conditions.

(*b*) The Honourable Member is referred to the season reports published in the *Fort St. George Gazette*, a file of which is placed on the table. The outturn of crops outside the river systems is in some areas below normal.

(*c*) & (*d*) The Board of Revenue has submitted a special report to Government after consulting Collectors. G.O., No. 2911, dated 26th November 1907, which contains this report will be printed and placed on the table.

(e) Remissions for total loss on wet lands can be given by the Collector and suspensions of kist within the fasli can be ordered by the Board. The Government do not propose to interfere with the discretion of those authorities. The necessity for opening test-works has not as yet arisen.

(f) The Government recognise that present prices must cause some hardship to officers on small salaries. The matter comes under the rules laid down for regulating compensation for dearness of provisions in the Civil Account Code.

The Hon'ble B. NARASIMHESWARA SARMA :—

L. (a) Is it a fact that enhanced grazing fees are being levied in the Government forests of Vizagapatam and Kurnool?

(b) If so, why have they been enhanced?

(c) Will Government be pleased to reduce the rates where free grazing is not possible?

The Hon'ble Mr. Cardew :—

L. (a) With reference to Vizagapatam the Honourable Member's attention is drawn to the answer given to his Question No. XV.

In the greater portion of Kurnool the rates fixed in 1895 are still in force. In 1898 special rates were charged on large herds of cattle kept in "kraals" in the reserved forests of the Nallamalais and belonging to dealers. In 1902 the rates for other cattle grazing in these and the adjoining reserves were slightly enhanced. The rates have not been altered since.

(b) Enhanced fees have been imposed in order to prevent overgrazing in the Nallamalais and adjoining reserves.

(c) The Government have recently considered the question of grazing fees and they do not propose to alter those now in force.

The Hon'ble B. NARASIMHESWARA SARMA :—

LI. (a) Will the Government be pleased to state if there are any proposals or considered plans for the preservation or conservation of forests adjoining the sources of rivers, springs and important hill streams on which the irrigation of the Presidency depends?

(b) Will the Government be pleased to invite the co-operation of the zamindars in the matter and enable them to conserve water-sources by affording them facilities by the grant of sanction under clauses (b) and (c) of section 32 of the Forest Act or otherwise?

The Hon'ble Mr. Cardew :—

LI. (a) The conservation of the head waters of rivers and springs has been one of the main objects of forest reservation since forest reservation commenced.

(b) Rules have already been framed under section 32 of the Madras Forest Act, 1882, to provide for the protection of forests in various zamindari estates, and the Government are at all times prepared to consider proposals from zamindars.

The Hon'ble B. NARASIMHESWARA SARMA :—

LII. (a) Is it a fact that the elective element has been introduced into the Taluk Boards and Union Panchayats throughout the whole of India except in Madras and the North-West Frontier Province?

(*b*) Is it a fact that the number of scholars in public and private institutions in Madras is much larger than in any other province except Bengal and that education is as widely spread here as elsewhere ?

(*c*) Will the Government be pleased to introduce the elective element into the Taluk Boards and Union Panchayats in Madras also ?

The Hon'ble Mr. Bradley :—

LII. (*a*) The Government have no precise information on the subject. The structure and powers of Taluk Boards and Union Panchayats vary considerably in the various provinces. It is believed that the elective principle has in some other provinces been introduced into some local bodies which correspond to the Taluk Boards of this Presidency, and that the elective system exists in Union Committees in Bengal.

(*b*) The Government are unable to furnish any comparative figures which are trustworthy on this subject.

(*c*) The question of introducing the elective system into Taluk Boards is under the consideration of Government.

The Hon'ble B. Narasimheswara Sarma :—

LIII. Will the Government be pleased to state—

(*a*) Whether the Gódávari irrigation system has always been expected to meet and has been meeting the full requirements of the wet lands in the delta in the worst seasons of drought without rainfall on the lands being taken into consideration ?

(*b*) Whether any estimate has been prepared as to how much additional land can be reduced to wet and brought under the irrigational system in the Gódávari delta, east, central and west, and how much of it is swamp near the sea ?

(*c*) What saving is calculated to be effected in the use of water under the new system of distribution which is being introduced and how much land is expected to be irrigated by reason of such saving ?

(*d*) Whether the duty of water was in former years estimated to be on the average 66 acres per cusec and was in practice much lower in the case of many lands, and a uniform rate of 90 is being sought to be introduced now ?

(*e*) Whether under the old system of turns all the lands were irrigated without obstruction from owners of fields higher up the distributary or irrigating channel by reason of the rapid and copious supply to and passage of water over the fields ?

(*f*) Whether, under the new system, fields in a block which are on a slightly higher level than the rest are greatly handicapped by reason of the higher duty prescribed and the slow passage of water which is either absorbed or intercepted by the owners of low-lying or favourably-situated plots ?

(*g*) Whether there is any law which can compel ryots to allow water received under the new method of distribution to pass from their fields on to those of their neighbours, especially as the old customary methods have been altered, and in the absence of such a law, the new system is workable and not calculated to cause great hardship to a large body of ryots ?

(*h*) Have the Government received any complaints or reports that an appreciably large area of mamul wet has not been transplanted or transplanted late or yielded or is expected to yield a very poor crop owing to insufficient supply of water ?

(*i*) Is it a fact that water, if allowed to stagnate and not pass from the field, the rice crop would even in rich soils suffer and would die in saline soils, and has provision been made under the new system for such necessary waste ?

(j) How much of the wet area has failed to yield—

(1) a normal crop or

(2) any crop under the old system in any of the worst years of drought and whether such land is situated at the tail end and was newly reclaimed land?

(k) Is it a fact that this year even on good lands the crop has been much below the normal, and will the Government be pleased to collect information and call for a report on the subject?

(l) How many main and minor distributaries have been remodelled to suit the requirements of the new system and whether the old spouts have been removed and new pipes placed in channels which have not been remodelled?

(m) Will the Government be pleased to investigate whether the ryots have not a legitimate cause of complaint by reason of such removal?

(n) Is it a fact that under the new system an appreciable portion of the land under wet cultivation in the delta is expected to be treated as dry, and will the Government be pleased to state how much the acreage would be and whether they would compensate the owners for the loss they may sustain?

(o) Will the Government be pleased to try the effects of the working of the new system in one or two main distributaries before introducing the same into the whole delta?

(p) Will the Government be pleased to appoint a commission consisting of expert Public Works and Revenue officers and a few non-officials to report on the whole subject?

The Hon'ble Mr. Wilson:—

LIII. (a) The answer to this question is in the negative; the area varies considerably with the season.

(b) The answer is in the negative.

(c) No information is yet available.

(d) Canals were originally designed for a duty of 66 acres per cubic foot per second, but the actual duty attained has always been much higher and a duty of 90 is being introduced now.

(e) There is no information available as to the old system of turns.

(f) Under the new system Government have no reason to anticipate any of the disadvantages suggested; on the contrary, Government believe it will effect a most equitable and efficient distribution of the water available.

(g) The Government are unable to advise on questions of law.

(h) & (j) The Government have no information on the subject.

(i) The answer is in the affirmative.

(k) The Government have no information and see no necessity to call for it.

(l) No information is available as to the number of distributaries remodelled up to date; the work has only just been begun.

(m) The Government are satisfied that the removal of the old spouts does not furnish any cause for complaint and are not prepared to order an enquiry.

(n) The Government have no information and it is not anticipated that any appreciable portion of the land will have to be so treated.

(o) The work must unavoidably be carried out gradually and modifications will, if found necessary, be introduced.

(p) Government are not prepared to appoint a Commission.

The Hon'ble B. Narasimheswara Sarma :—

LIV. With reference to the statement of Sir H. Adamson at the meeting of the Supreme Legislative Council held on the 1st November 1907, that there was a disturbance at Rajahmundry which necessitated the despatch of troops to that place, will the Government be pleased to state :

(*a*) Whether your Excellency's Government reported to the Government of India that there was a disturbance at Rajahmundry which necessitated the despatch of troops to that place ?

(*b*) Will the Government be pleased to state what the disturbance at Rajahmundry was which necessitated the despatch of troops to that place ?

(*c*) Will the Government be pleased to state the information on which action was taken and troops were sent ?

(*d*) Will the Government be pleased to place on the table the reports of the local officers, including those of the Superintendent of Police, the Deputy Inspector-General of Police, the Divisional and District Officers, regarding the incidents which led to the despatch of troops ?

(*e*) Has the attention of the Government been drawn to the account published in the *Hindu* of the 17th and 24th June 1907 and the *Bharata* of Rajahmundry detailing the circumstances under which a European employed in the Madras Railway was assaulted on the night of the 10th June 1907 or thereabouts ; and will the Government be pleased to state whether the said account is substantially true ?

(*f*) Will the Government be pleased to state whether they made any enquiry either with reference to the said account published in the *Hindu* or otherwise, and, if so, with what result ; and will the Government be pleased to place on the table the reports received in connection therewith and the orders of the Government thereon ?

(*g*) Did the said European employé of the Madras Railway lodge a complaint in the matter regarding the circumstance under which he was assaulted ; and whether any enquiry was held and the evidence of any Public Works Department officers employed at Dowlaishweram was taken, and, if so, with what result ?

The Hon'ble Mr. Bradley :—

LIV. The Government of Madras despatched troops to Rajahmundry to assist in maintaining order and to prevent any serious breach of the peace such as the Government apprehended in the Gódávari district. The Government decline to state the information on which action was taken or to place on the table the reports of local officers. The Government have not seen the accounts referred to in the *Hindu* and *Bharata*, but caused an inquiry to be held into the circumstances of the assault referred to. They decline to place the reports on the table. So far as the Government are aware, no complaint was lodged by the European employé of the Madras Railway. An enquiry was held and the evidence of some of the Public Works officers at Dowlaishweram was taken. With regard to the European employé the Government have no knowledge of the result of the enquiry. Two Public Works officers were transferred from the district and censured by the head of the department.

The Hon'ble B. Narasimheswara Sarma :—

LV. (*a*) Is it a fact that Dr. Kemp, District Medical and Sanitary Officer, Cocanada, had left Cocanada after the assault on the boy K. Krishna Rao on the 31st May 1907, and visited Madras and Ootacamund before he rejoined his duty at Cocanada ?

(*b*) Will the Government be pleased to state whether the visits to Madras and Ootacamund were under the orders of the Government or his superior officers or on his own initiative and were purely personal and private ?

(*c*) Has any batta or travelling allowance been paid to him on the said occasion and has he been treated as on leave during the said period, and, if so, why ?

(*d*) Has the attention of the Government been drawn to the fact that the Hospital Assistant on duty Mr. Sankarasubbayya Pillai deposed that though he was told that the boy Krishna Rao was unconscious and requested to attend on him he declined to do so ?

(*e*) Will the Government be pleased to take notice of the conduct of the medical men who failed to render help to the boy though requested ?

The Hon'ble Mr. Bradley :—

LV. (*a*) The answer is in the affirmative.

(*b*) Captain Kemp's journey to Madras was made under the orders of his superior officer. The Government are not aware whether his journey to Ootacamund was made under orders.

(*c*) The Government have enquired and ascertained that he has received travelling allowance for both journeys. Further inquiries will be made as to his eligibility for travelling allowance for the journey from Madras to Ootacamund and back.

(*d*) & (*e*) The Government have no information as to the correctness of the statement made regarding the Hospital Assistant; but a reference will be made to the Surgeon-General on the matter.

The Hon'ble B. Narasimheswara Sarma :—

LVI. (*a*) Have the townsmen of Cocanada in public meeting assembled deplored the incident at the European Club and condemned the action of the rioters and memorialized the Government that the quartering of the Punitive Police was absolutely unnecessary and a slur on their loyalty and prayed for its removal?

(*b*) Will the Government be pleased to state whether there was any disturbance of the public tranquillity at any time within the last one year with the exception of the incident at the club?

(*c*) Will the Government be pleased to state whether they are not satisfied now, after the judgment of the Sessions Court, Rajahmundry, or otherwise, that no respectable men at Cocanada were connected with the incident and that the mob went to the club to seek Dr. Kemp owing to the assault on the boy?

(*d*) How much is the Punitive Police likely to cost the town per year?

(*e*) Will the Government be pleased to withdraw the same?

The Hon'ble Mr. Bradley :—

LVI. (*a*) A memorial from certain inhabitants of Cocanada to the general effect stated in the question was received by Government on the 20th September.

(*b*) The Government have not heard of any other serious disturbance of the public tranquillity.

(*c*) The Government are not prepared to express an opinion on the question whether any respectable inhabitants of the town were concerned in the attack upon the club. The Government do not doubt that the attack upon the club was an organised one.

(*d*) Rs. 20,000 per annum.

(*e*) The Honourable Member is referred to the answer given to Question No. XXVI (*c*) & (*d*) asked by the Hon'ble M. Krishnan Nayar.

The Hon'ble B. Narasimheswara Sarma :—

LVII. (*a*) Is it a fact that a "Harikatha Kalakshepam" was dispersed at Cocanada on the night of the 9th July 1907 (Tuesday) by Mr. Atkinson, Assistant Superintendent of Police, as stated in the *Hindu* of the 17th July 1907?

(*b*) Is it a fact that the assembly was engaged *bonâ fide* in the recital of Harikatha, and have the Government enquired into the circumstances which led to the dispersal?

(*c*) Will the Government be pleased to take steps to prevent the occurrence of such incidents in future as far as possible?

The Hon'ble Mr. Bradley :—

LVII. The Government have no information and have received no complaint relating to the matter.

The Hon'ble B. NARASIMHESWARA SARMA :—

LVIII. (*a*) With reference to the Government Order, dated 18th June 1907, relating to the incidents in the Government College, Rajahmundry, will the Government be pleased to state whether the enquiry referred to therein was not purely departmental and confidential and whether the students rusticated or their guardians were called upon to explain or afforded an opportunity for explaining any circumstances which might have appeared against them before action was taken ?

(*b*) Will the Government be pleased to state whether the memorial, dated 29th April 1907, referred to is the memorial by the students to the Director published in the *Hindu*, dated 31st July 1907, how many signed it and whether the memorialists have been asked to substantiate their statements ?

(*c*) Is it a fact that of the 129 students referred to in the Government Order, several were absent from the college on the day of the occurrence ?

(*d*) With reference to the complaints made to Mr. Hunter against the students of the college that they were guilty of discreditable conduct in public streets, will the Government be pleased to state (1) whether it is a fact that at the meeting of the 19th March referred to in the Government Order. Mr. Hunter exonerated the students from all blame in that respect ; (2) whether any enquiry has been made on the subject and the students have been asked to explain, and with what result ?

(*e*) Is it a fact that students in many of the colleges in Madras and elsewhere were attending their classes all the time with *Vande Mataram* badges without objection being taken ?

(*f*) Will the Government be pleased to state whether Mr. Hunter and his predecessor in office were in the habit of issuing orders in writing and posting the same on the notice-board sometimes with a warning that disobedience to such orders would entail penalties, such orders in writing extending even to unimportant matters such as that students should not pluck flowers or leaves of plants in the compound, and whether no written orders were issued prohibiting the wearing of the *Vande Mataram* badges ?

(*g*) Whether it is a fact that the non-issuing of written orders led to a widespread impression among the students that Mr. Hunter did not and would not issue a written order prohibiting the use of the *Vande Mataram* medals as there could be no legal prohibition against wearing them in the college and that discretion was left to them as to whether they should follow his advice not to wear them and that this circumstance led to the students' wearing the tickets on the 24th April ? If Government have no information on the above matters, will Government be pleased to obtain this information ?

(*h*) Will the Government be pleased to state whether any notice was given by the college authorities to the parents or guardians that the conduct of their wards required amendment, close scrutiny and control ?

(*i*) With reference to the statement in the Government Order that *Vande Mataram* tickets had been printed over-night in accordance with a resolution passed at a students' meeting, will the Government be pleased to state when and where the said meeting was held ; and having regard to the disclaimer of the students, will the Government be pleased to enquire whether it is a fact that the tickets had been printed at the Chintamani Press, Rajahmundry, and used freely for several days prior to the 24th, that no meeting was held and that no resolution was passed as stated in the Government Order ?

(*j*) Is it a fact that several students when asked to remove the medals had obeyed in the first instance, and when they were asked to leave the college in case they did not remove the badges in two or three minutes many of the students had left ?

(*k*) Have nearly all the students submitted their apology and requested their Principal to admit them on the reopening of the college and the guardians submitted memorials to your Excellency's Government requesting to be excused for the thoughtless conduct of their wards ?

(*l*) Will the Government be pleased to discriminate between the ringleaders, if any, and the rest and cancel or modify their order so as to enable the students of all classes to prosecute their studies at Rajahmundry from the next year ?

(*m*) Is it not a fact that the students have throughout claimed that they wore the badges only to express their love for their motherland and disclaimed any connection with politics ?

(*n*) Will the Government be pleased to state whether, apart from the prohibition by the Principal, the students acted illegally or wrongly in wearing the *Vande Mataram* badges when they attended the college?

(*o*) Have the Government made any enquiries into the constitution or working of the association known as the "Bala Bharata Samiti" of Rajahmundry, and will the Government be pleased to state if there be any objection to students joining the same?

(*p*) Will the Government be pleased to state whether the heads of colleges—unaided and private—have been requested not to admit the students rusticated at Rajahmundry during the period of suspension?

The Hon'ble Mr. Bradley :—

LVIII. The Honourable Member appears to be under a misapprehension as to the principle on which the Government Order referred to proceeded. The facts, as ascertained by Government, showed clearly that there had been a grave breach of discipline and open defiance of duly constituted authority on the part of the students attending the Government College. It was, therefore, deemed necessary, as a salutary lesson, to pass in the interests of school discipline instructions for the punishment of all students who took part in the misconduct. Those students who had satisfactory explanations to give, or who on subsequent enquiry were found to have been absent on the day on which the incident occurred, have been readmitted into the college. There was no question of any breach of the provisions of the Penal Code or the constitution of the Samiti mentioned in the question. The Government are not prepared to reopen the inquiry.

ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

The Secretary reported that the Madras City Police (Amendment) Act, 1907, which had been passed into law at the meeting of the Council held on the 9th April 1907, received the assent of His Excellency the Governor on the 2nd May 1907.

ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

His Excellency the PRESIDENT :—I have the honour to announce that the Madras City Police (Amendment) Act, 1907, received the assent of His Excellency the Governor-General on the 20th May 1907.

COMMUNICATIONS FOR THE COUNCIL.

The Secretary reported the receipt of the following communications on the subject of the Madras Estates Land Bill, 1905 :—

(1) From the Vicharanakartha and the additional Trustee of Tirumalai and other devastanams, dated August 1907.

(2) From the Madras Landholders' Association, dated 1st November 1907.

(3) From the Madras Landholders' Association, dated 22nd November 1907.

(4) From the Zamindar of Pithápuram, dated 22nd November 1907.

(5) From the Mittadar of Chillaraipuravu, Tinnevelly district, dated 29th November 1907.

THE MADRAS CITY MUNICIPAL ACT AMENDMENT BILL, 1907.

The Hon'ble Mr. G. S. FORBES, in introducing the Bill to amend Madras Act III of 1904 and moving that the Bill be read in Council, said :—Your Excellency, I have the honour to introduce a Bill to amend the Madras City Municipal Act. The Bill has been duly published and it is a very short one. The Statement of Objects and

Reasons fully explains the nature of the legislation that is undertaken. The history of the Bill is short. As Honourable Members are aware, large projects in connection with the improvement of the water-supply and the drainage of the City of Madras have for a considerable number of years been under consideration and some portions of the schemes have been executed. Great engineering difficulties have been experienced in carrying out these projects and financial difficulty has been met with in raising money for them. On some of the portions of the project a good deal of money, I am afraid, has been wasted and lost. Accordingly, in March last, proposals were made as to what should be done for the future; and the Government wrote to the Corporation and pointed out that it did not seem wise to embark on large schemes which involved heavy expenditure unless care was taken that their execution was entrusted to a highly experienced Engineer-in-Chief with a competent and complete staff under him. They also pointed out that, as a very considerable portion of the money for execution was to come out of public funds, it was clearly the duty of the Government in the interest of the general tax-payer to take every means to guard against any failure of the scheme and intimated to the Corporation that if the Corporation so desired the Government would be prepared to introduce a Bill to enable it to employ a special Engineer, on a salary not exceeding Rs. 2,500, on the understanding that the said Engineer would be placed in the immediate charge of all the engineering work of the Corporation with, if necessary, two or three Engineers under him, and that he should be retained till such time as the new water-supply and drainage schemes had been carried out. These proposals of Government were considered by the Corporation, which passed a resolution in the following April accepting them. By its resolution the Corporation accepted the plans and estimates, and agreed that it would be advisable to place the two works of water-supply and drainage in charge of an expert special Engineer working under the Corporation till those works were completed, but did not think it desirable or necessary that he should be in charge of all the ordinary works of the City which would remain under the Corporation's regular Engineer. The Government accordingly took steps to carry out this proposal, and in due time addressed the Secretary of State to select a special Engineer with the necessary qualifications. As doubts had been raised whether under the provisions of the existing Act a special Engineer could be appointed with a salary higher than Rs. 1,000 a month, this Bill was drafted to put the matter on a legal footing. As I have already stated, the Bill has been before the public for some time and is now before the Council. I move that the Bill be read in Council.

1 P.M. The Hon'ble Sir V. C. Desikachariyar seconded the motion.

The motion was put to the Council and agreed to.

The Secretary then read the title of the Bill.

The Hon'ble Mr. G. S. Forbes :—That motion having now been carried, I beg to move that the Bill be not referred to a Select Committee for report.

The Hon'ble M. Krishnan Nayar seconded the motion.

The motion was put to the Council and agreed to.

The Hon'ble Mr. G. S. Forbes :—I now move that the operation of Council Rule 46 be suspended and that the Bill be taken into consideration at once.

The Hon'ble B. Narasimheswara Sarma seconded the motion.

The motion was put to the Council and agreed to.

The consideration of the Bill was then proceeded with.

Clause 1.

Clause 1 was allowed to stand part of the Bill.

Clause 2.

His Excellency the President :—The question is that clause 2 should stand part of the Bill.

The Hon'ble Sir V. C. Desikachariyar :—The proviso to this clause says—

"Provided further that the Local Government may also appoint a special "Engineer or special Engineers, for such period and on such monthly salary payable

"out of Municipal funds as may, with the consent of the Corporation, be fixed by "them, for the supervision or execution of any special scheme of an engineering "character undertaken by the Corporation, and may with the like consent extend such "period or enhance such salary."

I should like to know what exactly the intention of the Government is in regard to the clause. I find the words "with the consent of the Corporation" in line 15. I should like to know whether it means that the Government intend to consult the Corporation, as they have done on the present occasion, as to the necessity for the appointment of a special Engineer or whether they are to consult the Corporation only as to the pay and the period of service of the Special Engineer. In appointing special officers it would be more graceful on the part of the Government to take the consent of the Corporation beforehand, not only in the matter of fixing the salary and the period of appointment, but as to whether one Engineer is necessary or two and what qualification he or they should possess If the Honourable Member in charge of the Bill could see his way to move the words "with the consent of the Corporation" to line 12 after the words "Government may", my object will be achieved.

The Hon'ble Mr. G. S. FORBES:—The Local Government have to appoint the Engineer and it is only in regard to the question of the salary and the period of appointment that the Corporation is to be consulted.

The Hon'ble Sir V. C. DESIKACHARIYAR:—I only throw out a suggestion whether you think it wrong in principle to consult the Corporation previously as you have done on the present occasion. In the case of ordinary officers the Government have ample powers and need not consult the Corporation and I do not go into the merits of that provision. I wish very much that the Honourable Member in charge of the Bill would see his way to adopt the suggestion that I have made to move the words "with the consent of the Corporation" higher up in the proviso. As it is a special matter, much valuable information may be got from the Corporation. If the proviso is to be literally worked, the question of fixing the salary only will be sent up to the Corporation.

The Hon'ble Mr. G. S. FORBES:—I do not quite understand the effect of the Honourable Member's suggestion. Does he mean to make the consent of the Corporation necessary for the selection of a particular officer?

The Hon'ble Sir V. C. DESIKACHARIYAR:—I don't say that. The question of the selection of the officer will always be left to Government.

The Hon'ble Mr. G. S. FORBES:—But I think that may be the effect of the Honourable Member's proposal.

The Hon'ble Sir V. C. DESIKACHARIYAR:—What I mean is that before the appointment is made the Corporation should be given a voice in the matter.

The Hon'ble Mr. G. S. FORBES:—The Government cannot appoint a man without knowing his salary and the period of his appointment. What the Honourable Member wishes is that the Corporation should have a voice and should be consulted in the matter. That is what will naturally be done, because the Government will ask the Corporation its view as to the period of the appointment and the terms on which the Special Engineer should be engaged.

The Hon'ble Sir V. C. DESIKACHARIYAR:—Suppose the question is whether one is to be appointed or two. Suppose the Government say, "We are going to appoint "one, what do you think that his salary and period of appointment should be". It is not open to the Corporation to suggest whether it is to be one or two. The appointment will be left in the hands of the Government. Even on the last occasion we left the appointment in the hands of the Government. As the proviso stands nothing but salary and period of appointment will be left to the Corporation to decide.

The Hon'ble Mr. G. S. FORBES:—I am afraid I am unable to accept the Honourable Member's proposal. I do not know what the effect of the amendment might be. The clause, as it stands, seems to carry out the Honourable Member's wishes, because it refers both to the period of service and the salary. The Government have to consult the Corporation on both these matters. As the Corporation has to settle what terms it can give, it can say what it can offer to one Engineer or two Engineers, so that practically it comes to what the Honourable Member desires. Without seeing

exactly what will be the effect of the Honourable Member's amendment in the future, I regret I cannot accept it. As it stands, the clause seems to carry out what he wants.

The Hon'ble Sir V. C. DESIKACHARIYAR :—I am sorry that there is some slight misapprehension. Suppose the Government say that only one Special Engineer is required for the water-works and the drainage, and the Corporation thinks that one will not do but two will be required, will the Corporation be entitled to advise the Government on the matter and say that it would be better to engage two? The Government may say " we asked you only about one Engineer and you can only fix his salary and the period of appointment". That is my difficulty which the Honourable Member does not seem to realise. If there is any fear in his mind that I want to get any further powers, I may say at once that there is no such intention at all on my part. You would not give any more power to the Corporation by adopting the suggestion that I make than what the clause confers? The whole question should be placed before the Corporation as, after all, they are the people best able to advise the Government.

The Hon'ble K. R. GURUSWAMI AIYAR :—I really do not understand where the difficulty lies. The Corporation has power to say whether it is to be one Engineer or more as the question of fixing the period of his appointment and his salary is in its hands, though the power of appointing the man is vested in the Government. The Corporation has the power to say whether the appointment shall be for two days, two months or two years; and if it does not want the appointment it may say that it shall not be for more than a day. The powers conferred are extensive enough and I do not really understand the object of the Hon'ble Sir V. C. Desikachariyar's suggestion.

The Hon'ble C. K. SRINIVASA RAO :—May I know if the Honourable Member suggests that the sanction of the Corporation is to be obtained for the selection of the officer by the Government?

The Hon'ble Sir V. C. DESIKACHARIYAR :—No.

The Hon'ble C. K. SRINIVASA RAO :—I feel inclined to support the Hon'ble Mr. Guruswami Aiyar's remarks.

His Excellency the PRESIDENT :—Does the Honourable Member wish to press his amendment?

The Hon'ble Sir V. C. DESIKACHARIYAR :—I did not move any amendment. I merely made a suggestion.

Clause 2 was then put to the Council and allowed to stand part of the Bill.

New Clause 3.

The Hon'ble Mr. G. S. FORBES :—I beg, with Your Excellency's permission, to move as clause 3 the following verbal amendment in connection with the definition of the word Engineer in sub-section (12) of section 3 of the Madras City Municipal Act, 1904, viz., that after the word " under " the words and figure " sub-section (1) of " shall be inserted. In section 3, sub-section (12) of the Act, the word Engineer is defined as the Engineer " appointed under section 12." By the amendment I want to make it clear that it does not include the Special Engineer.

The Hon'ble P. S. Sivaswami Aiyar seconded the motion.

His Excellency the PRESIDENT :—Sub-section (12) of section 3 says " The Engineer means the Engineer appointed under section 12." The effect of this amendment is to make the sub-section read as follows :—" The Engineer means the Engineer appointed under sub-section (1) of section 12." The question is whether this new clause should be inserted.

The amendment was put and was allowed to stand part of the Bill as clause 3.

The Preamble.

The Preamble was next put to the Council and agreed to.

The Hon'ble Mr. G. S. FORBES :—I now move that the Bill, as amended in Council, be passed into law.

The Hon'ble Sir V. C. Desikachariyar seconded the motion.

The motion was put to the Council and agreed to.

THE MADRAS ESTATES LAND BILL, 1905.

The Hon'ble Mr. G. S. Forbes, in presenting the Report of the Select Committee on the Madras Estates Land Bill, 1905, said:—I beg to lay on the table the Report of the Select Committee on the Madras Estates Land Bill, 1905. In laying the report on the table I ought to explain that I do not propose to move that it be taken into consideration at once. I cannot exactly fix the date as to when it is to be taken. All that I can say is that it will not be taken into consideration at once.

1-20 P.M.

The Hon'ble Raja V. Virabhadra Razu Bahadur :—At any rate it will not be before the 6th of January.

The Hon'ble Mr. G. S. Forbes :—It will not be.

His Excellency the President :—In the ordinary course of business the Report of the Select Committee would be laid on the table, the date for summoning the Members for Council to consider that report being left in the hands of the Governor. I may say we have no desire whatever to ignore the reasonable wishes of Non-official Members in regard to the consideration of amendments made by the Select Committee. Those have now been in the hands of the Honourable Members of the Council for a considerable time, and I do not think that the further new amendments which are now in the hands of Members are of such a nature as to make it desirable that their consideration should be postponed for an unduly long time. My own feeling is that if the Council is summoned to meet on the 6th January, five weeks from to-day, members will have ample time to consider the new amendments. I take it that consideration has been given to the amendments of the Select Committee. The date I mention will be convenient to us as a Government, in view of the business which we have on hand; and I do not think that we can be accused of trying to rush this legislation which has been before the country for several years. That is what I propose to do in regard to summoning the Council for the consideration of the Bill. If, in the meantime, it can be shown to me that there is a fair reason for still further delay, I will be prepared to give such representation every reasonable consideration. I had an opportunity of discussing this question very briefly and informally to-day with some of the Non-official Members, and so far as I am able to ascertain such a period of time as I suggest would be considered by them to be sufficient. My present intention is not to summon the Council before that date. And if, when you have had time to consider what I have said, your desire is to make further representations for delay and those representations appear to us reasonable, we shall be prepared to give them every consideration.

BUDGET CONFERENCE.

Before we adjourn I should like to read a short statement in regard to the budget.

For some time I have been of the opinion that it would be of great advantage if some of the Non-official Members of this Council had an opportunity of considering the budget in detail before coming to the actual Council at which the budget was to be discussed. No provision is made for the formal constitution of a Budget Committee or Conference, but I propose to invite some of the Non-official Members to take part with a certain number of the Official Members in a Conference on the budget for the purpose of enabling them to discuss it in detail, to make suggestions and record criticisms on the items in the budget for consideration by Government. As soon therefore as each major head in the budget has been settled, a note on it will be prepared in the Financial Department and sent to each Member of the Conference. As soon also as the preliminary budget has been forwarded to the Government of India, a copy will be sent to each Member of the Conference. Members will be requested to treat these documents as "strictly confidential." The Conference will be invited to meet about the third week of January, so as to give time for possible modifications to be made in the budget before it takes final shape.

Of the three main heads of the budget, viz.—

1. The Revised Estimate,
2. Revenue, and
3. Expenditure.

No. 1. *The Revised Estimate* (which rests entirely with the Accountant-General and contains nothing which the Conference can discuss) will not be considered by the Conference.

No. 2. *Revenue.*—Discussion will be confined to items affecting the revenue of the year in question.

No. 3. *Expenditure.*—Criticisms will be unfettered save that proposals affecting individuals will not be admitted for discussion.

The Conference will hold its sittings in private. The criticisms and suggestions which members may desire to submit for the consideration of Government will be recorded under the direction of the Chairman. The record of the proceedings will be the property of Government and regarded as "strictly confidential." No vote on any item will be taken. No resolutions will be put. The constitution of the Conference will be as follows:—

The Second Member in Council,—*Chairman.*
The Third Member in Council.
The Chief Secretary to Government.
The Senior Member of the Board of Revenue.
The Secretary, Revenue Department.
The Secretary, Public Works Department.
The Joint Secretary, Public Works Department (Irrigation).
The Director of Public Instruction.
Five Non-official Members to be nominated by His Excellency the Governor.
The Secretary, Legislative Department,—*Secretary.*

These proposals are of a tentative nature, but I hope that Non-official Members may be willing to accept my invitation to take part in such a conference as I am anxious to make it possible for more effective criticism on the Government's proposals for the ensuing year to be made by the Non-official Members than is possible at the present time.

The Hon'ble M. KRISHNAN NAYAR :—I beg to thank your Excellency very sincerely for the opportunity that your Excellency has proposed to give to Non-official Members of Council for discussing the budget before it formally comes up before the Council. We are extremely thankful to your Excellency for it, as the procedure that is proposed to be adopted will be of considerable help to the Government and to us non-officials.

The Hon'ble C. K. SRINIVASA RAO :—I wish to support every word that has fallen from the Hon'ble Mr. Krishnan Nayar. Your Excellency has properly gauged the non-official feeling that, if an opportunity was given for the discussion of the budget preparatory to its coming up before the Council, it will result in an immense amount of advantage to the Council and the public. For this most healthy and beneficial innovation that your Excellency has been pleased to inaugurate, I and other non-official friends of mine feel most grateful to your Excellency and to your Excellency's Government. We have no doubt that from this innovation a great deal of good will be expected and we feel confident that a great amount of good will practically come out of it.

With the permission of His Excellency the President the Hon'ble Raja V. Virabhadra Razu Bahadur withdrew the motion standing in his name, namely, that the report of the Select Committee on the Madras Estates Land Bill be taken into consideration at a meeting of the Council in February 1908.

His Excellency the PRESIDENT :—The motion of the Hon'ble Raja V. Virabhadra Razu Bahadur being withdrawn, the business before the Council is concluded and the Council is adjourned *sine die.*

H. D. TAYLOR,
Ag. Secretary to Government, Legislative Dept.

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ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS

FOR 1907.

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